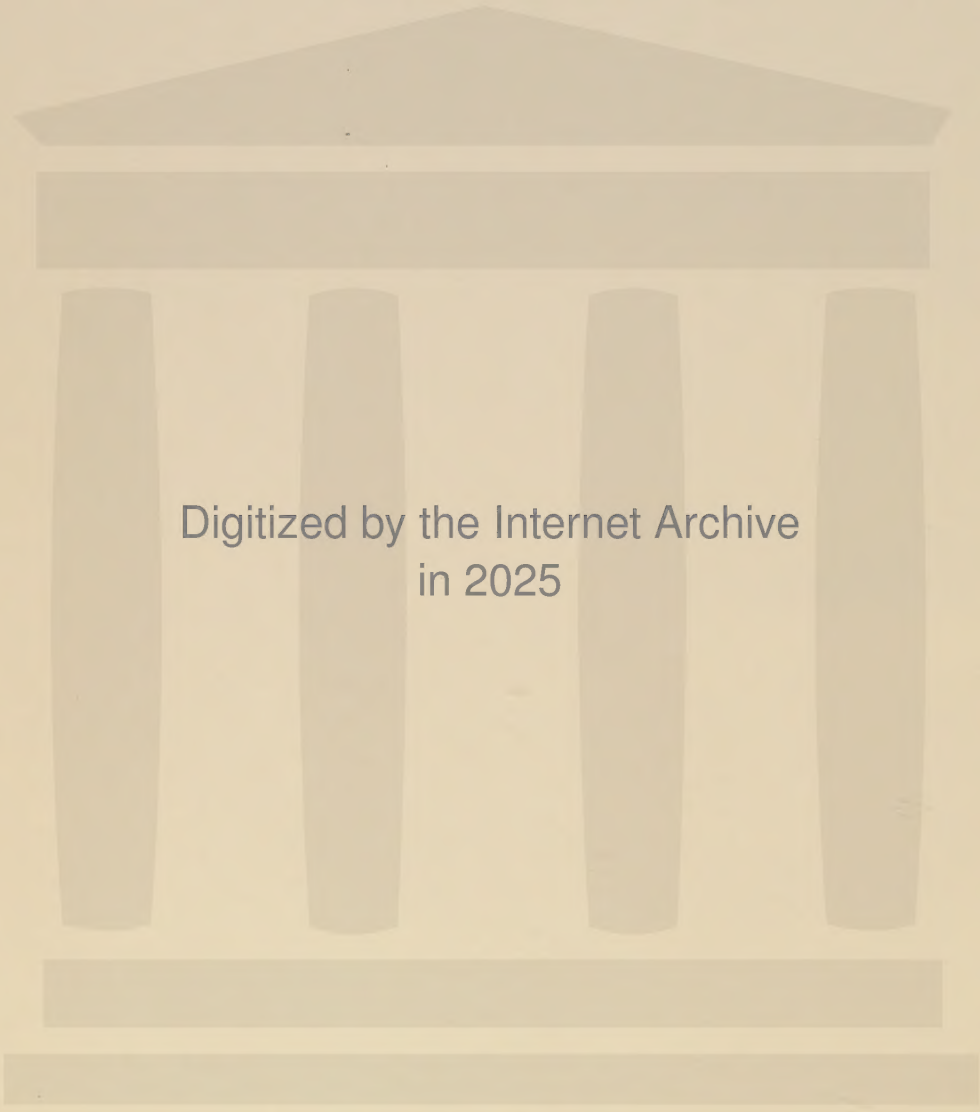

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ARCHIVES OF MARYLAND

PROCEEDINGS

OF THE

COUNCIL OF MARYLAND

1671–1681

PUBLISHED BY AUTHORITY OF THE STATE, UNDER THE DIRECTION
OF THE MARYLAND HISTORICAL SOCIETY

WILLIAM HAND BROWNE
Editor

BALTIMORE
MARYLAND HISTORICAL SOCIETY
1896

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PRESS OF THE FRIEDENWALD COMPANY,
BALTIMORE, MD.

Rooms of the Maryland Historical Society,

Baltimore, *November* 30, 1896.

To the Maryland Historical Society:

Gentlemen:

We have the honor to submit the Fifteenth Volume of the Maryland Archives, comprising Council Proceedings for the years 1671 to 1681.

Respectfully,

Clayton C. Hall,
Henry Stockbridge, Jr.,
Bradley T. Johnson,
Committee.

ARCHIVES OF MARYLAND.

The following volumes have been published:

I.

PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1637/8–1664, 1883

II.

PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1666–1676, - 1884

III.

PROCEEDINGS OF THE COUNCIL, 1636–1667, - - - - - - - - - 1885

IV.

JUDICIAL AND TESTAMENTARY RECORDS OF THE PROVINCIAL COURT, 1637–1650, - - - - - - - - - - - - - - - - - 1887

V.

PROCEEDINGS OF THE COUNCIL, 1667–1687/8, - - - - - - - - 1887

VI.

CORRESPONDENCE OF GOVERNOR HORATIO SHARPE, I, 1753–1757 - 1888

VII.

PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1678–1683, - 1889

VIII.

PROCEEDINGS OF THE COUNCIL, 1687/8–1693, - - - - - - - - 1890

IX.

CORRESPONDENCE OF GOVERNOR HORATIO SHARPE, II, 1757–1761, - 1890

X.

JUDICIAL AND TESTAMENTARY RECORDS OF THE PROVINCIAL COURT, 1650–1657, - - - - - - - - - - - - - - - - - 1891

XI.

JOURNAL OF THE MARYLAND CONVENTION, JULY 26–AUG. 14, 1775 } JOURNAL AND CORRESPONDENCE OF THE COUNCIL OF SAFETY, AUG. 29, 1775–JULY 6, 1776, } 1892

XII.

JOURNAL AND CORRESPONDENCE OF THE COUNCIL OF SAFETY, JULY 7–DEC. 31, 1776, - - - - - - - - - - - - - - - - 1893

XIII.

PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1684–1692, - 1894

XIV.

CORRESPONDENCE OF GOVERNOR HORATIO SHARPE, III, 1761–1771, 1895

XV.

PROCEEDINGS OF THE COUNCIL, 1671–1681, - - - - - - - - - 1896

PREFACE.

While the last volume of the Archives was passing through the press, the Maryland Historical Society was so fortunate as to discover two volumes of original Council Records of which no copies are known to exist, and which are therefore of the highest importance. They had been removed from Annapolis certainly more than thirty years ago, and were discovered almost by accident.

Our regular series of Council Records broke off in 1674 (the record for the three or four previous years having been very fragmentary), after which there was a void of eighteen years in the original journals. This void we were partly enabled to fill by the discovery of a copy of a Council Book for the years 1686–1689 preserved in the Public Record Office, London, of which the Society had a transcript made, which has been printed in the Archives. This however still left a gap of twelve years, which we bridged, imperfectly, but as far as was then in our power, by copies of papers belonging to that time, preserved in the English Record Office.

The recent discovery, however, enables us almost completely to restore the record of those years.

It was not possible to include the contents of both these books, aggregating 900 closely-written pages, in a single volume of our series; it has therefore seemed advisable to divide them. The present volume contains about one-half the entire copy, and is thus, of necessity, smaller than the preceding volumes.

The following is a calendar of these newly-found books.

Council Books.

Liber (unnamed). A small folio bound in sheep and paged, containing 351 pp. and 14 pp. index. Forty-three pages are missing at the beginning (lost before the book was bound) and pp. 48–49 torn out after binding; otherwise the book is in fair preservation, with the exception of a few leaves slightly torn at the tops. The writing is a compact and legible court-hand.

Text, as we have it, begins with a commission to William Burges.

Council Proceedings begin March 23, 1677/8, and end April 3, 1683. In the following text this volume is referred to as Liber R.

Liber RR and RRR. Two books bound in one small folio, sheep, perfect, and in excellent order. Containing altogether 548 pp. Lib. RR contains pp. 1–197. It begins with a commission of Cecilius, Lord Baltimore, to his son Charles as governor, dated Dec. 8, 1671, followed by other documents. Follow records of Councils held Decr. 13, 1671, Jany. 4, 1671/2, Oct. 3, 1672, Dec. 12, 1672, April 30, 1673, Nov. 17, 1673, and continuing. It closes with a Council meeting of July 7, 1683, followed by four blank pages. Liber RRR begins with a new paging, 1–320, and 27 pp. index. The text opens with the oath of a Justice of the Provincial Court, followed by a Council of Nov. 11, 1683, and ends with a proclamation of March 5, 1685/6.

The time covered by the present volume was one of disquiet and apprehension. The northern Indians were restless, and, without entering into a general war, seem to have been harassing the tribes to the south of them. The Senecas, especially, had been pressing hard on the Susquehannoughs, who, having been much reduced in numbers by an epidemic of small-pox, were no longer able to maintain themselves, and fell back into southern Maryland into the lands formerly occupied by the Pascattoways on the Potomac. Predatory bands, apparently recruited from various tribes, like the free companies of the fourteenth century, roamed about, doing miscellaneous mischief. Either one of these bands, or else a strong party of the Senecas, followed the retreating Susquehannoughs, and either these or the Susquehannoughs themselves did considerable damage in both Maryland and Virginia. Several whites were murdered in both provinces. The Virginians, rightly or wrongly, attributed these murders to the Susquehannoughs, who had established themselves in an old Indian fort; and in September, 1675, a force under Col. John Washington joined a body of Marylanders under Major Thomas Truman, and invested the Susquehannoughs in their fort. The chiefs were invited to a parley, and a number of them came out, who averred that the murders were done by the Senecas, that they themselves were fast friends of the English, and in proof they exhibited a Maryland medal with its gold-and-black ribbon, which had been given them by Governor Calvert as a token of amity and a protection. According to the statement of Truman, who was afterwards brought to a reckoning for his share in this affair, the Virginians could not be restrained, and seizing five chiefs who had

come out to the parley, tomahawked them all. Tomahawked they certainly were, when they had come out under assurance of safety.

The consequences of this atrocious breach of faith were disastrous. The friendly Indians lost confidence in the colonists; suspicious goings-on were observed among them; emissaries from the northern Indians came down; predatory bands made sudden forays upon isolated plantations from Cecil to St. Mary's; and a general uneasiness pervaded the province.

The Susquehannoughs who had remained in the fort at the time of the massacre, held out until their provisions were spent, and then made their escape by night, and going southward through Virginia, left a wide track of mischief behind them, and terrorised the whole province, out of which grew Bacon's rebellion.

In these troubles the Pascattoways, Mattawomans, and other friendly Indians, had given what assistance they could to the whites, thus drawing upon themselves the wrath of the hostiles; and as they were weak, many measures had to be taken for their protection.

On the 30th of November, 1675, Cecilius, Lord Baltimore, died, and was succeeded by Charles, his only son, who was then in Maryland. Charles, finding it necessary to take a voyage to England, appointed his young son Cecilius Governor, and Jesse Wharton Deputy Governor, in the Proprietary's absence, with instructions that if Wharton should be in danger of death, he should appoint Thomas Notley to succeed him. Wharton was probably in ill health at the time of his appointment, for in about a month he nominated Notley as his successor, and died shortly after. The young Cecilius, or Cecil, Calvert was afterwards sent to England, where he died in minority at some date later than 1679.

The remnant of the Susquehannoughs, now utterly broken as a tribe, put themselves under the protection of the Senecas, or of the Iroquois Confederacy, and to avoid further troubles a treaty with the Five Nations was concluded by an agent of the Maryland government at Albany in 1677. In this, as in similar treaties, the Pascattoways and other friendly Indians were included, as under the protection of the government. Roving parties of Indians from the north at intervals made their appearance, doing some mischief, and spreading much uneasiness, especially among the Maryland Indians, who called upon the whites for aid. Sometimes they received arms, and at other times they were removed to more defensible places. Parties of armed rangers kept constantly on the move.

There had been in the Province, almost from the beginning, a discontented faction, led by a few demagogues, who were ever ready to stir up sedition, and play on the ignorance, credulity, and bigotry of the people. A leader in all work of this kind was the ex-governor, Josias Fendall, who having been, with perhaps more humanity than wisdom, pardoned for an act of flagrant treason, and suffered to remain in the Province, bore ever afterward a rancorous hatred to the Proprietary and the government, and his home in Calvert county was a hatching-place for plots and mutinies. With him we soon find associated that unclean bird, John Coode.

The uneasiness about the Indians was skilfully taken advantage of by these plotters, who spread everywhere the rumor that the Proprietary and the Catholics (about one-twelfth of the whole population) were conspiring with the Indians to massacre the Protestants. Absurd as such a charge was, it found ready credence among the agitated and credulous people, to whom it seemed an easy explanation of all these disquieting phenomena. Indeed so well did it serve its purpose, that it was used with great effect by Coode and his followers in the rebellion of 1689, and openly put forward in their Declaration.

To a certain extent, therefore, these volumes explain what has always been a mystery, the sudden and almost unresisted success of that most causeless of rebellions. It was not that the people really felt any oppression, endured any wrong, or bore any burdens but such as are incident to all governments by law. But for years they had had their fears, their credulity, and their bigotry wrought upon by tales of Popish plots and conspiracies with the Indians, and the assurances that (whether they felt it or not) they were groaning under insupportable tyranny, until mere iteration had compelled belief.

NOTES.

Page 18, line 40. Watkins Point. The southern point of Somerset County at the mouth of the Pocomoke.

Page 22, line 38. Choptico. A creek in St. Mary's County emptying into the lower Potomac, west of St. Clements Bay, and also the lands lying thereupon.

Page 27, line 41. Horekeele, Whorekeel, or Hore Kill. Now Lewis Creek in Delaware near Cape Henlopen.

Page 34, line 36. Mattapony. In St. Mary's County near the mouth of the Patuxent.

Page 49, line 15. Pascattoway Creek. On Herrman's map the Pascattoway Indians are located on the Potomac in the southern part of the present Prince George's County. The name is preserved as Piscattaway.

Page 78, line 9. The Mattawoman Indians dwelt on the Potomac in the northern part of Charles County. Some seem to have been settled in Dorchester County on the Nanticoke.

Page 99, line 29. St. Jerome's. St. Jerome's Creek is in the upper part of St. Mary's County, and flows into the Chesapeake.

Page 101, line 23. Zachaia Swamp, also called Pangayo, is in Charles County, east of Portobacco.

Page 122, line 32. Palmer's Island, at the mouth of the Susquehanna.

Page 124, line 5. "His vaine title." The circumstances referred to are so peculiar as to justify a rather extended note.

According to Father White's *Journal*, Governor Leonard Calvert learning, shortly after the arrival of the first colonists, that many princes were subject to the Emperor of Pascattoway, determined to visit that potentate. Setting sail in his pinnace, the *Dove*, he proceeded up the Potomac until he reached Pascattoway, where he found the emperor awaiting his arrival with about five hundred warriors armed with bows, and prepared to give him a hostile reception. The monarch, however, being convinced of the pacific intentions of his visitors, laid aside all fear, went on board the *Dove*, and gave the English permission to settle where they pleased.

The name of this emperor is not given, but he seems to have been the Wannas whose tragical end will presently be mentioned. A later

letter from a missionary explains that, while Indian kings generally are of small account, this prince, whose Indian title was the Tayac, was really a considerable person. "When rulers and kings are spoken of," he says, "let no one in his mind form an august idea of men, such as of the different princes in Europe. . . . The only peculiarity by which you can distinguish a chief from the common people, is some badge; either a collar made of a rude jewel, or a belt, or a cloak, oftentimes ornamented with shells in circular rows. The kingdoms of these are generally circumscribed by the narrow confines of a single village and the adjacent country; but the Tayac has a much more extensive dominion, stretching about one hundred and thirty miles, to whose empire also other inferior chiefs are subject."

In 1639 the reigning Tayac was Kittomaquund (the name is variously spelled) who had ascended the throne by the summary process of murdering his brother Wannas; and to his court Father White betook himself after he had given up all hope of converting that flinty-hearted heathen, the King of Patuxent. He found Kittomaquund most affectionately inclined towards him, chiefly on account of two dreams, one of which, he said, had appeared to his late brother Wannas, and one to himself. Medical aid which Father White gave him in a severe illness, completed the conversion; he adopted the English fashion of dress, and determined to be baptised, with his wife and two daughters. With the zeal of a new convert, he summoned a general council of the whole people, and harangued them on the immortality of the soul; and himself undertook and carried successfully through, the conversion of an Indian who was executed for murder.

After Kittomaquund had received sufficient instruction in the mysteries of the Christian faith, he was baptised on July 5th, 1640, at Pascattoway, in a chapel of bark which he had built for the purpose. Governor Calvert and other official persons of the colony were present. The Tayac received the name of Charles, and his wife that of Mary, and in the afternoon of the same day they were united in matrimony by the Christian rite.

The next year he brought his daughter, then seven years old, to be educated among the English at St. Mary's, and in 1642 we are told that "the young empress (as they call her)" is quite proficient in the English language, and has been baptised by the name of Mary. Mistress Margaret Brent became much interested in her, and named her Mary Brent. Governor Leonard Calvert was appointed her guardian, and after his death Margaret Brent took the guardianship.

Kittomaquund, the Tayac, died in or before 1643, leaving no male issue, and only this daughter. But she was not a "young empress," nor anything like it. For the Pascattoways went even beyond the Salian Franks in their low opinion of the female sex; and taking the ground that they could always know who was the mother of the child, but rarely who was the father, had enacted a law that the succession to the kingship should always depend on motherhood, not fatherhood. On the death of a king the succession went, not to a son or daughter, but to a brother; failing brothers, to a sister's son, and failing these, to the nearest of kin who traced his descent in the female line, from the royal stock.

It may be that Kittomaquund considered that his acceptance of Christianity and a new name released him from the obligation of heathenish laws. At all events, on his death he left the succession to his daughter, known to the English as Mary Brent Kittomaquund. But his subjects held fast to their ancient law, rejected the daughter, and fixed their choice on Waghucasso, a distant kinsman of royal blood through the female line, thus breaking the direct line of descent (to brother or to nephew) for the first time in thirteen generations, according to their account. To the English, whose confirmation of a new emperor they always sought, they explained that there were recognized among them two royal lines descending from the founder of the dynasty. That the line to which Wannas had belonged having terminated (so far as male representatives were concerned) by the death of Kittomaquund without brother or sister's son, they had turned to the other line represented by Waghucasso, and the English confirmed the choice. On the death of Waghucasso in 1663, they elected Nattowasso, his son, apparently not in the right of his father, but of his mother; and they explain that there is an eligible young female of the line of Wannas to whom they intend to marry him, thus securing the legitimate succession against all contingencies. This step also the Council confirmed, warning them at the same time that if there should be any cutting-short of his days, "by poysoning or otherwise," they would be surely held to a reckoning for it; which suggests a surmise that poison had been used to get rid of Wannas.

By this time Mary's chances of succession would seem to have fallen to zero. But there was one Englishman at least who appears to have thought otherwise. He was named Fitzherbert, and was a brother of Major Fitzherbert of the Council. Whether he thought Mary's title good to the sovereignty of her father, or only to lands, does not appear;

but that he put forward pretensions of some sort is plain from the following extract from a letter of Charles Calvert to his father Cecilius, dated April 26, 1672:

"Major Fitzherbert's brother, who maryed the Indian Brent, has civilly parted with her, and (as I suppose) will never care to bed with her more; soe that your Lordship needs not to feare any ill consequences from that match, butt what has already happened to the poore man, who unadvisedly threw himself away upon her in hopes of a great portion which has come to little."

As Mary was seven years old in 1640, she must have been thirty-nine in 1672. The "ill consequences" which might have been apprehended from that match, but which were averted by the separation, were clearly the birth of an heir in lawful wedlock, who might put forward claims in his mother's right.

This is the last we hear of Mary Brent Kittomaquund. But this matter of her claims crops up in a rather surprising way in August, 1676, as appears in the text.

In the Preface mention has been made of the massacre of the chiefs at the Susquehannough fort, and of the southern march of the garrison through Virginia, plundering and murdering, out of which grew Bacon's rebellion. There was certainly some sympathy felt for Bacon in Maryland; and the Council seems to have had an idea that he had designs upon Maryland, in which case he might use this half-breed youth to draw the Indians to his side. Probably Bacon never entertained any such wild notions; but in any case his hands were too full in Virginia to give him an opportunity to make the attempt.

Who then was this Giles Brent, who is clearly the son of Mary? As he is spoken of in 1676 as a person who in designing hands might become a dangerous leader of sedition, he could hardly have been less than twenty years old, which would put his birth in or before 1656, when Mary was twenty-three years old or less; and at the time when she parted from her lawful husband, Fitzherbert, he must have been at least sixteen years old. The facts of his taking his mother's name of Brent; that Governor Calvert is so evidently relieved at the prospect that no children will be born of the Fitzherbert marriage; and the absence of all allusion to this youth, seem conclusive that Giles was born out of wedlock before—and probably long before—the Fitzherbert marriage. As a bastard he could have no claims either to land or to dignities. With this passing notice he disappears from history.

Page 127, line 43. The Clifts. In Calvert County, on the Bay shore.

Page 199, line 19. White Hall. On the Severn, near the present Annapolis.

Page 250, line 19. "Toalse." Probably for toll-house or custom-house.

Page 252, line 2. Nanjemy. Now Nanjemoy in Charles County near the Potomac.

Page 276, line 44. Notley Hall. A manor in St. Mary's County on Choptico Creek.

Page 336, line 7. Beaver Dam. In St. Mary's County, north of Britton's Bay.

Page 361, line 9. Transquakin. In Dorchester County.

Page 364, line 27. Britton's Bay. An estuary of the lower Potomac in St. Mary's County.

Page 369, line 30. Point Lookout. The southern point of St. Mary's County.

Page 371, line 14. Calvert's Creek. A creek in St. Mary's County, running into the Potomac.

Page 372, line 27. Nomony Bay. On the Virginia side of the Potomac, opposite Britton's Bay.

Page 416, line 9. Road River. In Anne Arundel County.

PROCEEDINGS

OF THE

COUNCIL OF MARYLAND.

CECILIUS CALVERT, LORD BALTIMORE,
Proprietary.

CHARLES CALVERT,
Governor.

1671–1675.

Council Booke begun the eighth of December 1671:

His Excellency Charles Calvert Esq^{r} Cap^{t} Generall and Cheif Governor of Maryland.

C: Baltamore

Comission for the Leivetenant Generall & Cheif Governour of Maryland

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltamore &c To all to whom these presents shall come Greeting.

Know yee that wee in Consideration of the naturall love and affection which wee have unto and of the singular Duty and faithfull service, to us by our Most Deare and welbeloved son Charles Calvert Esq^{r} heretofore Done and performed, and hereafter to be done and performed, And for the speciall Trust and Confidence, which wee have in the greate Prudence care conduct and ffidelity of our said Deare Sonne, have Given & granted, And wee doe by these presents give and Graunt unto our said Deare Sonne, the Office of Leivetennant Generall Cheif Captaine Cheif Governour and Comander and Cheif Admirall both by Sea and Land of our Province of Maryland in the parts of America, And of all our Islands Territoryes and Dominions, whatsoever in any the parts of America, thereunto belonging. And of all and singular our Castles fforts, ffortresses, fortifications Munitions Shipps and Navyes in our said Province Islands Teritoryes and Dominions aforesaid, And also the Custody and Cheif Goverm^{t} and Comand of our said Province, Islands Territoryes and Dominions aforesaid, and of all and singular the Castles fforts ffortresses fortifications Munitions Shipps & Navyes within our said Province, Islands Territoryes and Dominions aforesaid being and Remayning or to be and Remaine, and to us in any wise belonging or appertenning together with all and singular the Rights, Priviledges Jurisdictions Comodityes Advantages and Emoluments whatsoever to the said Office and Goverment, or Either of them any wise belonging or apperteyning, And him the said Charles Calvert wee doe make ordaine and Constitute Leivetennant Generall, Cheif Capitaine and Cheif Admirall both by sea and Land Cheif Governo^{r} and Comander of our said Province Islands

Lib. R. R. Territoryes and Dominions And of all the Castles, fforts Navyes shipps places and things aforesaid by these presents To have hold occupy Enjoy and Excercise the said Office of Leivetennant Generall Cheif Capitaine and Cheif Admirall Cheif Governour and Cheif Comander aforesayd with the appurtenances unto our said Deare Sonne Charles Calvert by himself or by his sufficient Deputy or Deputyes by him in his absence to be apointed during our pleasure. And wee doe likewise for the Considerations aforesayd, give and graunt unto our said Deare Sonne full power and authority during the time of his Exercise of the said Office before mentioned by himself and his Capitaynes and Officers by him to be appointed, to Leavy Muster and Trayne all sorts of men of what Condicōn or wheresoever borne in our said Province and Dominion for the time being remayning, And in case of Insurreccōns assaults or approaching of any Enimy or Enimys Pyrate or Pyrates or other Robbers, to make warre and to pursue such Enimy or Enimyes Pyrates or Robbers aswell by Sea as Land and to vanquish and take them and being so
p. 2 taken to put them to death by the Law of Warrs or to save them at his pleasure, And to doe all and Every thing which unto the Charge and office of a Capitayne Generall of an Army or Admirall of a ffleete belongeth. And likewise in case of any Rebellion Tumult or Sedition, Either upon the Land within our said Province and Dominions or upon the Seas to Exercise, Martiall Lawes against all Rebellious Mutinous or seditious persons of those parts who shall refuse to submit themselves to our Governm^{t} or to serve in the warrs or shall fly to the Enemy or forsake their Ensignes, or be Loyterers or straglers or otherwise howsoever offending against the Law Custome or Discipline Military as freely and in as ample manner and forme as any Capitaine Generall of an Army or Admirall of a Navy by vertu of his Office might or hath accustomed to use the same. And further wee doe give and graunt unto our said Deare Sonne full power and authority during the time of his Exercise of the said Office before mentioned for us and in our names as often as he shall thinke fitting from time to time to pardon remit or release whether before Judgem^{t} or after all and all manner of Criminall offences against the Lawes of our said Province and Dominions or any of them and also all and all manner of paines penaltyes and forfeitures incurred or to be incurred by any ꝑson or ꝑsons bodyes politique or Corporate within our said Province & Dominions or any of them for or by reason of any Crime or Crimes offence or Offences Comitted or to be Comitted against any the Lawes ordinances or orders of our said Province heretofore made or hereafter to be made whatsoever

or howsoever as fully and amply to all intents Construccōns and Lib. R. R.
purposes as wee our self might doe if wee were then and there personally p[r]sent to doe the same, as also for us and in our name and as often as he shall finde it necessary from time to time to call assemble and sum̄on any Generall Assembly or Generall Assemblyes of the freemen of our said Province or of their Deputyes or Delegates for the giving of the Advice assent and approbation of the ffreemen of our said Province to such Lawes and Acts as shalbe by us at any time ordained made and Enacted and under our Seale published, and unto which the advice assent and approbation of the ffreemen of our said Province shalbe at any time requisite and necessary and the said Generall Assembly and Assemblyes so from time to time called assembled and summoned or to be called assembled or summoned from time to time when and as often as he shall Judge it necessary in our name to prorouge or otherwise to desolve at his pleasure, and likewise for us and in our name and in our absence from our said Province to ordeine make and Enact by and with the advice assent and approbation of any such Assembly or Assemblyes so called assembled or summoned as aforesaid to be of force untill wee our self or our heirs and assignes Lords and Proprietaryes of the said Province shall declare and publish or cause to be declared or published within our said Province or his their or some of their particuler dissent or dissents, Disagreem[t] or Disagreem[ts] to the same under our his their or some of their seale or seales so as the said Lawes and Acts so to be ordained made and Enacted be Consonant to Reason and be not Repugnant or Contrary but as neare as Conveniently may be agreeable to the Lawes statutes and Customes of the Kingdome of England, and so as the same be no wayes Repugnant unto or Destructive of our Rights priviledges or Jurisdictions, or to the Disinherison of us our heires or assignes Lords and Proprietaryes of the said Province or contrary to our or their power goverm[t] or Dominion, or Contradictory to a certeine Act of Assembly heretofore made in the nineteenth yeare of our Dominion Annoq One Thousand six hundred and fifty Entituled an Act Concerning Religion. and likewise wee doe further give and graunt unto our said Deare Sonne during the time of his Exercise of the said Office aforesaid full power and authority from time to time to make constitute ordaine and publish in our name such wholesome Reasonable and ꝑfitable ordinances Edicts and proclamacōns p. 3
within our said Province for the better Government of the people there inhabiting and with such Reasonable paines and penaltyes to be therein Expressed as wee ourself might lawfully doe if wee were then and there personally p[r]sent And

Lib. R. R. also full power and authority to Direct and appointe for us and in our name to passe under our Greate Seale of our said Province, such Graunt and Graunts of such proportion & proportions of lands within our said Province to such person and persons and for such Estate and Estates and with such priviledges and Imunityes and under such Conditions as wee have Directed or shall from time to time hereafter direct by any warrant or warrants under our hand and Seale at Armes, so as the said warrant and warrants be Duly Entred and Registred and the said Lands duely surveyed, and the Surveys thereof Retorned and all and Every the necessary Rules orders Circumstances, heretofore by us given or appointed in Relacōn to the Surveying of such Lands and to the Entring Registring and attesting the Surveys thereof, and all necessary Circumstances touching such Graunts Surveys and warrants heretofore by us given or appointed be first duly observed and performed, willing and by these p^{r}sents requiring our said Deare Sonne to advise as their shalbe occasion with those who are or shalbe of our Council there for the time being upon all Emergent occasions, touching concerning or relating unto the good Govermn^{t} of our said Province, and of the people there. And wee doe hereby Revoake adnull and make voyd all former Comissions heretofore at any time given unto our said Deare Sonne or any others in Relacōn to all or any the offices powers or authorityes hereby Graunted, and all and Every Power and Powers authority and authorityes thing and thinges in them Every or any of them given graunted mentioned or Conteined hereby declaring the same to be revoked adnulled and made voyd to all intents and purposes imediately from and after the publishing of these p^{r}sents within our said Province. Given und^{r} our hand and Seale at Armes the sixteenth day of ffebruary in the foure and thirtieth yeare of our Dominion over our said Province Annoque Domini 1665.

C Baltemore

Commission for the Privy Council of Maryland

Cecilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c. To our Dearly beloved sonne Charles Calvert Esq^{r} our L^{t} Generall Cheif Capitaine Cheife Admirall Cheif Governo^{r} and Cheif Comander of our said Province of Maryland, and of the Dominions and Teritoryes thereunto belonging, and to all others of our said Province of Maryland and of the Dominions and Teritoryes aforesayd Greeting Know yee that wee have Constituted assigned and apointed and doe by these p^{r}sents Constitute assigne and appointe our Deare Brother Philip Calvert Esq^{r} our Chan-

celour of our said Province our Trusty and welbeloved Lib. R. R.
Richard Boughton Esq^r^ our Principall Secretary of our said Province, our Trusty and welbeloved Jerome White Esq^r^ our Surveyo^r^ Generall of our said Province, our Trusty and welbeloved William Evans Esq^r^ our Muster Master Generall of our said Province, our Trusty and welbeloved Baker Brooke Esq^r^ Edward Lloyd Esq^r^ Henry Coursey Esq^r^ and Thomas Truman Esq^r^ to be our privy Councello^rs^ and to be of our private secret and continuall Councell to us and to our Leivetennant Generall and Cheif Governo^r^ for the time being of our said Province, and to his Deputy and Deputyes to be by him assigned for and in Relac̄on to all affayres of State and for and in Relac̄on to the making of peace and warre and the p. 4
good Governance and ordering of all our affayres relating to our said Province during our pleasure, And wee doe further assigne Constitute and apointe that they the said Philip Calvert, Richard Boughton Jerome White, William Evans, Baker Brooke Edward Loyd, Henry Coursey and Thomas Truman, or any three or more of them (of which wee will that our said Chancelour or our said Principall Secretary shalbe one) shall in our absence together with our L^t^ Generall and Cheif Governo^r^ for the time being of our said Province or his sufficient Deputy or Deputyes by him to be assigned be a full sufficient & Compleate Councill, for the Ends and purposes aforesaid, Willing and by these p^r^sents Requiring and firmly injoyning all persons of our said Province and Dominions aforesaid that in all things Relating to the premises they give obedience unto our said Councill and to all such orders and Comands as shall from time to time be made and given by our said Councill or any three or more of them (of which our said Chancelour and Principall Secretary or one of them to be one) by and with the Consent and approbation of us or of our Leivetennant Generall and Cheif Comander of our said Province for the time being, or of his lawfull & sufficient Deputy or Deputyes by him to be assigned. so as such orders and Comands be Consonant to Reason and be not Repugnant or Contrary to the Lawes of our said Province, nor Repugnant or Contrary unto but as neare as Conveniently may be agreeable to and with the Lawes statutes and Customes of the Kingdome of England And wee doe hereby Revoake repeale adnull and make voyd all and Every former and other Com̄ission and Com̄issions, Letters Patents orders and authorityes whatsoever by us at any time heretofore formerly given for the Erecting creating Constituting or apointing of a privy Council within our said Province, or the Dominions thereto belonging or for the Creating or apointing any p^r^son or persons to be of our private Secret or Continuall Councill there

Lib. R. R. or to be of the private secret or Continuall Councill to any our Leivetennant or Leivetennants his or their Deputy or Deputyes of or in our said Province, or any the Dominions or Teritoryes thereto belonging. Witness our self at London the sixteenth day of ffebruary in the foure & thirtieth yeare of our Dominion over our Province of Maryland. And in the yeare of our Lord God One Thousand six hundred sixty five stilo veteri.

C Baltemore

Commission for the Cheif Justice & Justices of the Provincial Court of Maryland.

Cecilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c. To all and singular our sheriffs and Cheif Officers and all others of our Province of Maryland aforesaid. Greeting. Whereas aswell for our owne Conservacōn as for the Conservacōn of the peace and Tranquility of our said Province and to the End that Justice and Equity may be duly and Impartially Administred to all and Every person and persons bodyes politique and Corporate of and within our Province of Maryland aforesaid wee have Constituted assigned and apointed, and doe hereby Constitute assigne and apointe our most deare sonne Charles Calvert Esq^{r} our L^{t} Generall Cheif Capitayne Cheif Admirall Cheif Governo^{r} and Cheif Com̄and^{r} of our said Province of Maryland and of all our Dominions and Territoryes thereto belonging to be our Cheif Justice of our Provinciall Court of our said Province during our pleasure, aswell for the holding of all Pleas touching and Relating unto the Conservation of us, and the Conservation of the peace of our said Province as for the holding of pleas touching our Rights and Revenues and of Common Pleas and likewise for the Determining of all matters of Equity for which any Releif is shall or may be Justly or reasonably desired in our said Court And whereas wee have like wise Constituted assigned and appointed and doe by these p^{r}sents Constitute assigne and appointe our Deare Brother and Councellor Philip
p. 5 Calvert Esq^{r} our Chancelour of our said Province, our Trusty and welbeloved Councellor Richard Boughton Esq^{r} our Principall Secretary of our said Province, our Trusty and wellbeloved Councello^{r} to be Justices of our said Court for the holding the pleas aforesayd and for Determining of matters of Equity aforesayd, during our pleasure, willing and by these p^{r}sents assigning Constituting and appointing that our said Chief Justice and our said Justices or any foure or more of them (of which our sayd most Deare sonne and our said Brother & Secretary or one of them to be one) shalbe a sufficient Court for the Determining the pleas and matters of

Equity aforesayd, wee Doe hereby Require & Comand you and Every of you in and upon the ffaith and ffidelity which you owe and in which you stand bound and holden unto us firmly injoyning that in all things touching the Office and Offices of Justice and Justices aforesayd and to the Conservacōn of us our peace and the peace of our said Province you be fully and wholy obedient and assisting unto our said Cheif Justice and Justices Respectively. Witnes our self at London the sixteenth day of ffebruary in the foure & Thirtieth yeare of our Dominion over our said Province of Maryland, and in the yeare of our Lord God One Thowsand six hundred sixty and five stilo veteri. Lib. R. R.

Instruccōns orders and Authorityes to be observed and Executed by our most Deare sonne Charles Calvert Esq^{r} our Leivetennant Generall and Cheif Governo^{r} of our Province of Maryland, and of our Dominions thereunto belonging.

Cecilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltamore &c. To our most Deare sonne Charles Calvert Esq^{r} our Leivetennant Generall and Cheif Comander of our Province of Maryland and of our Dominions thereunto belonging Greeting. wee Doe hereby will require apointe and authorise you to observe performe and Execute the severall and Respective orders Instructions Directions and authorityes hereafter mentioned in such manner & forme as the same are hereby ordered and Directed to be observed performed & Executed, that is to say.

ffirst wee will and require you so soone as Conveniently you may to call and sum̄on a Generall Assembly within our said Province and to offer unto them such bills Lawes or Acts as you shall herewith Receive from us by the hands of our Trusty and welbeloved Richard Boughton Esq^{r} our Principall Secretary of our said Province under our Seale and in case the said Assembly so to be called and sum̄oned shall assent unto and approve the same, that then you give our publique assent unto the same and Cause the same to be published under our greate Seale of our said Province as Lawes and Acts.

Item that you sum̄ons by writ writs or Otherwise all our Privy Councello^{rs} to sit in the upper house of such Assembly together wth such ꝑsons not Exceeding the number of Seaven freemen of our said Province to sit in our said upper house of Assembly as members of the same together with our said privy Councello^{rs} as you in your Discretion shall thinke fit and that from time to time and at all times hereafter so often

Lib. R. R. as you shall thinke fit and that from time to time and at all times hereafter so often as you shall thinke it necessary to call
p. 6 or sum̄on any Generall Assembly you doe likewise summon and call all our privy Councellorˢ to sit in the upp. house of such Assembly together with such ꝑsons not Exceeding the number of Seaven ffreemen of our said Province, the said ꝑsons so to be called and sum̄oned to be Lords of Mannorˢ if you shall finde any such to be fitting to sit in orˢ sd upper house of Assembly together with our said privy Councellorˢ as in your Discretion you shall thinke fit. Neverthelesse the persons so to be by you at any time sum̄oned are not to sit in the said house before they shall have taken the oath of fidelity to be Administred by orˢ Chancelour or any Two of our Councellorˢ by your appointmt

Item that to all such bills Lawes or Acts as you shall hereafter receive from us undr our Seale to be offered and proposed to any Assembly of our said Province hereafter to be called or sum̄oned you doe at all times give our publique assent and Cause the same to be published under our said Seale of our said Province in case such Assembly shall assent unto and approve of the same.

Item that from Henceforth you forbeare to sit in Either house of any Assembly as a member of the same but that so often as you sit in the upper house, of any such Assembly you shall take place as our Lt Generall and as representing us in our absence.

Item as touching such Acts as any late Assembly have passed or framed contrary to Justice Right Equity or Reason, the particulars of which you shall Receive herewith under our hand and Seale you doe publiquely before and in the prsence of both the howses of the next Assembly to be by you called and sum̄oned declare our Dissassent and disagreemt to the same and leave it to our said Secretary to give the Reason of such our dissassent and dissagreemt wee having fully imparted the same unto him.

Item that in case you shall happen to finde yourself sick or in danger at any time of Death you take care by your last will or other Instrument to appointe some fitting ꝑson or persons of our privy Councell to succeed you in the office and offices of Governmt of and in our said Province, untill wee shall appointe and authorise some other ꝑson to Exercise & Execute the said Offices, And wee doe hereby allow of authorise and apointe such ꝑson or ꝑsons as you shall so appointe as aforesayd to Exercise and Execute all and Every the said Office and Offices powers and authorityes whatsoever after your Death, untill wee shall nominate and appointe some other person or ꝑsons to Exercise and Execute the same.

Item wee doe hereby authorise you so often as you shall finde occasion from time to time and at all times hereafter to suspend any ꝑson or ꝑsons our said Chancelour & Secretary only Excepted from sitting or being of our privy Councill in our said Province or from Exercising or Executing any office or Offices Military or Civill within our said Province during your pleasure and untill our pleasure to the Contrary be by us signifyed and wee doe hereby Expressely prohibite declare and Enjoyne that Every person and ꝑsons (Except before Excepted) so by you suspended, or to be suspended shalbe and is and are hereby suspended, from the Exercise and Execution of such Office and Offices from the Exercise and Execution whereof he shalbe so Suspended and is and are hereby prohibited and Enjoyned from the Exercise and Execution of the same, untill we or you shall declare our Expresse wills and pleasures to the contrary. Lib. R. R.

Item wee doe hereby give you full power and authority for us and in our names in case of the death of any Officer or Officers of our said Province or of any of our Privy Counsellor or privy Counsellors or in case of any such Suspension as aforesayd, to apoint some other fitting ꝑson or ꝑsons to Execute the Office or Trust of such ꝑson or ꝑsons so dyeing or to be suspended as aforesayd untill ours or your will shalbe Declared to the Contrary And wee doe hereby authorise such ꝑson and ꝑsons so by you to be appointed To Execute and Exercise such Office and Offices according to such your appointmt p. 7

Item wee doe hereby authorise you in case you shall finde it necessary to appointe & Constitute any other ꝑson or ꝑsons not Exceeding the number of three ꝑsons to be of our Privy Councill and to be Judges and Justices of our Provinciall Court of our said Province together with those ꝑsons by us already appointed to be of our said Councill and to be Judges and Justices of our said Court, and the person and persons so by you to be apointed and Constituted to cause to be sworne of our said Councill and to be sworne Justices of our said Court which said ꝑson and ꝑsons so by you to be appointed and Constituted wee doe hereby appointe and Constitute to be of our said privy Councill and to be Judges and Justices of our said Court during our pleasure as fully and amply to all intents and purposes as if they had beene or were ꝑticularly appointed and Constituted as such by our self under our Seale so as he or they take the oath and oathes appointed to be taken in such Cases by those who are of our said Councill and by those who are Judges and Justices of our said Court before he or they shall Exercise or Execute the said Office or Offices to which they shalbe so apointed & Constituted.

Lib. R. R. Item wee doe hereby require and strictly Enjoyne you to cause frequent Musters to be made of all the severall Trained bands Soldiers and Militia of our said Province within the severall and Respective Countyes of our said Province so often as with Conveniency the same may be, and that all ꝑsons capable of bearing Armes may be Trained up to the use and Exercise of Armes, and that all ffreemen & Masters be Enjoyned to furnish themselves with sufficient Armes and Amunition for themselves and all their servants capable of bearing Armes and to have the same alwayes in Readines and upon sound of Trumpet or beate of Drum to appeare at all times for the Defence of our said Province, and of themselves and their Estates and fortunes and in this wee doe more ꝑticulerly require your Dilligence in Reguard of the pʳsent warrs declared agᵗ the English nation in all parts by the ffrench King and the united Provinces of the Netherlands and for the particuler care and Tendernes wᶜʰ wee have for the security and safety of the people of our said Province.

Item that you give Directions ꝑticulerly to our pʳsent Principall Secretary of our said Province to the same Effect as formerly wee Directed you to doe to Henry Sewall Esqʳ deceased our late Principall Secretary in Relacō̄n to the strict and due Entryes of bills of lading and taking bonds of shipps Coming to our said Province and in Relation to Shipps Trading in oʳ said Province, and to Comend the aforesayd instructions to be in all points duly observed, taking care to Returne Coppyes of the said bonds as formerly you have used by our Directions to doe.

Item that you doe Deliver with your owne hands unto our Deare Brother Philip Calvert Esqʳ our Greate Seale of our said Province, and Administer unto him the oath annexed unto these pʳsents by us appointed to be Administred unto and taken by oʳ Chancelour of our said Province, upon the Taking of wᶜʰ said oath and the Delivery of which said Seale unto him, wee doe hereby Constitute and Ordaine him to be Chancelorʳ of our said Province and wee doe hereby direct authorise and apoint you to declare him to be so accordingly and wee doe hereby declare that the Delivery of our said Seale by us or our Leivetennant of our said Province for the time being or his sufficient Deputy or Deputyes in his absence and by
p. 8 our ꝑticuler and Expresse Direction order or authority under our hand and Seale shalbe sufficient upon the Taking of such oath to Constitute our Chancelour of our said Province, and thᵗ wee doe not intend either by Comission or any other way for the future to Constitute any Chancelour of our said Province.

Given under our hand and Seale at Armes the sixteenth

day of ffebruary in the foure & thirtieth yeare of our Do- Lib. R. R.
minion over our said Province, and in the yeare of our Lord God, according to the account now used in England, One Thowsand six hundred Sixty and five.

Instructions orders and authorityes to be observed and Executed by our most deare sonne Charles Calvert Esq^{r} our Leivetenant and Cheif Governor, and by our Councell of our Province of Maryland

Cecilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltamore &c To our most Deare Sonne Charles Calvert Esq^{r} our Leivetennant, and to our Deare Brother Philip Calvert Esq^{r} our Chancelour, and to our Trusty and welbeloved Richard Boughton Esq^{r} our Principall Secretary, and to the rest of our Councill of our said Province Greeting, Wee doe hereby will require appointe and authorise you our said Leivetennant and you our said Councill of our said Province of Maryland from time to time to observe ꝑforme and execute our severall and respective orders Instruccōns Directions and authorityes hereafter mentioned in such manner and forme as the same are hereby ordered and directed to be observed ꝑformed and Executed (that is to say)

ffirst wee will and require you and Every of you that you doe most strictly and Carefully observe keepe and Execute and Cause to be observed kept and executed one certeine Act of Assembly made in the nineteenth yeare of our Dominion Entituled an Act Concerning Religion, and Every clause Article and thing therein Conteined.

Item that you and Every of you in your respective places and according to your Respective powers doe your utmost for the p^{r}venting and suppressing of all and all manner of Riots and seditions and Rebellions, Riotous seditious and Rebellious assemblyes and meetings within our said Province and Dominions, Tending to the Disturbance of our peace and Governm^{t} or of the peace of our said Province.

Item That you and Every of you in your respective places, and according to your Respective powers take care to prevent the sale or Delivery of any manner of Gunns muskets Carbines Pistolls fowling peices, Swords weapons, Gunn powder Shot Bullets or other Amunition whatsoever to any manner of Indian or Indians whatsoever, and strictly and severely to put in Execution or cause to be put in Execution all manner lawes Acts and Ordinances for p^{r}vention of the same.

Item that you take into your strict and Serious Considera-

Lib. R. R. tion all lawes and Acts already made, and to which wee have given our assent touching and Relating in any measure to any Trading dealing Traffique or Trucking with any manner of Indians whatsoever, and strictly and severely to observe and Execute the same and to cause and procure the same to be strictly and severely observed and Executed and also Carefully & Dilligently to observe and Examine where and in what ꝑticulers the said Lawes or any of them are Defective, and to Certify us your opinions and Judgem^{ts} in relacō to the same with your opinions how the same may be amended altered and corrected.

Item that you and Every of you in your Respective places and according to your Respective powers doe ꝑforme and Execute and cause to be done ꝑformed and Executed speedy and Equall Justice and Right to all manner of ꝑsons and
p. 9 ꝑticulerly to all Marchants and Seamen their ffacto^{rs} and Agents, and to all of any the neighbouring places Colonyes Provinces and plantations whatsoever, in all thinges and ꝑticulerly in all cases which Concerne or shall Relate unto Runnaway Servants or slaves.

Item that you be carefull to p^{r}vent and rectify and to cause and procure to be p^{r}vented and Rectefyed, the Cōmon vulgar and usuall Error and Errors in bills of Lading and other papers and writings of Marchants and Seamen touching the Tobacco of the growth of our said Province namely that all such Tobacco be in all such bills papers and writings called and written by the name of Maryland Tobacco, and that it may publiquely passe, and be called and knowne by the name of Maryland Tobacco and not by the name of Virginia Tobacco, or Bay Tobacco or by any other name or names whatsoever.

Item that you consider upon a way how wee may be secured of the Loyalty and fidelity of such ꝑsons as by Reason of their dissatisfaction touching the lawfullness of taking of oathes Cannot be prevayled with, to take the oath of ffidelity By requiring such ꝑsons to give Security to performe the substance of the said oath of ffidelity by becoming bound for Each other, And that you doe with as much speed as the Circumstances of affayres will allow and Admit of put the same in Execution by taking or causeing such securityes to be taken.

Item that you and Every of you in your Respective places and according to your respective powers doe use all possible meanes for the speedy Rayseing Collecting and Leavyeing of our Rents and Dues, and of all the Areares and Arereages thereof and for the future strict and Carefull leavyeing and Collecting of all & all manner of Port Dutyes, and in ꝑticuler

of Port Dutyes of from and upon all and all manner of Shipps Lib. R. R.
and vessells Coming or Tradeing or hereafter to come or Trade in or to any place or places within our said Province & Dominions & in ꝑticuler in or upon Patomeke River or any pt thereof, as well on that side of the said River which Runneth or bordereth upon Virginia, as on that syde of the said River which runneth or bordereth upon our said Province of Maryland, and for the speedy payment of the same, into the hands of our Treasurer or Receiver Generall to be appointed by us or our said Deare Sonne for our use.

Item that you Considder by all the wayes and meanes you can touching the finding out and appointing a certeine Competent number of ꝑticuler places in or upon the severall and Respective Rivers of our said Province most Convenient for the Loding and freighting unloading and Disburdening of shipps and Convenient for Ports and Keyes, to the End wee may appointe a certeyne competent number of certeine and setled Ports in Every such River for the benefit of Trade and for the Ease and security of Marchants in the way of Trade, with Exclusion to all other places and with an Expresse prohibition to all ꝑsons to loade or unloade any ship or vessell Marchandize or Marchandizes in any other place or places within our Province aforesaid, and that you signify unto us with all Convenient speed your Judgem^{ts} & opinions in Relac$\bar{o}$n to the same.

Item that before the Execution of any the Offices powers authorityes and Com̄issions by us now lately given graunted or Conferred or Directed to be graunted given or confirmed to or upon you our Leivetennant Generall Chancelo^{r} Principall Secretary officers of State or Goverm^{t} or in Relac$\bar{o}$n to the Administration of Justice in our Provinciall Courts you doe all of you severally take the oath and oathes respectively p. 10
by us Directed to be taken by and Administred unto all and singuler such Respective Officers of State Goverment or Justice Respectively, wherefore wee doe hereby authorise and apointe you our said Leivetennant Generall to give and Administer such oath and oathes unto our said Deare Brother as are by our orders and apointm^{t} to be administred unto and taken by our Chancelour of our said Province, and unto such as are to sit and be of our said Privy Councell, and likewise such oath as wee have Directed to be administred to our Judges Justices or Comissioners of our said Provinciall Court and wee doe hereby likewise authorise and apointe our said Deare Brother after he shall have beene so sworne as aforesaid and shall have taken the said severall and respective oathes hereby appointed to be Administred unto him as aforesaid to give and Administer unto our said Deare Sonne such oath and

Lib. R. R. oathes as is and are by our order and apointm^{t} to be administred unto and taken by our Leivetennant Generall there. And also such as by like order and apointm^{t} are now by us Directed to be and taken by such as by our Authority are apointed or authorised to sit and be Judges Justices or Comissioners of our said Provinciall Court. And also to give and Administer unto our said Principall Secretary such oath as by our order and apointm^{t} is to be Administred unto or taken by our Principall Secretary of our said Province, And also to give and Administer unto our said Principall Secretary and all others ordained Constituted or apointed by us to be of our privy Counsell or of the privy Councell to o^{r} Leivetenant Generall and to sit and be Judges and Justices of our said Court such ꝑticuler and respective oath and oathes as by our apointm^{t} and ord^{r} is to be Administred unto and taken by such as are or shalbe Chosen or apointed by us to be of our privy Councill there, and also such oath and oathes as are by us directed to be administred unto and taken by such as wee have apointed and authorised to sit as Judges Justices or Comissioners of our said Provincial Court.

Item that you seriously take into your Consideration to finde and speedily to propose unto us some Convenient way of and for the making of some visible distinction and Distinctions betweene you our Leivetennant Generall our Chancelo^{r} Principall Secretary, Generall Officers Councello^{rs} Judges & Justices and the Rest of the people of our said Province Either by the wearing of habbits Meddalls or otherwise.

Item wee doe further Direct order and appointe by these p^{r}sents that if at any time in our absence from our said Province our Leivetennant Generall of our said Province for the time being shall happen to dy without having power from us to appointe some ꝑson or ꝑsons to succeed him in the Exercise & Execution of the said Office and the powers thereto belonging or without appointing some ꝑson or ꝑsons to succeed him as aforesaid that in all and Every such Case and Cases hapning it shall and may be lawfull and wee doe hereby authorise and give power unto our Privy Councill of our said Province for the time being to Elect and appointe some ꝑson or ꝑsons of our Councill for the time being, and residing in o^{r} s^{d} Province to Exercise and Execute the Office of L^{t} Generall and Cheif Governo^{r} of our said Province untill wee or our
p. 11 heires or assignes Lord and Proprietary Lords & Proprietaryes of the said Province shall Constitute a Leivetennant Generall and Cheif Governo^{r} of the said Province to succeed the ꝑson so happening to dy as aforesaid, And wee doe hereby authorise such ꝑson or ꝑsons so to be apointed by our said Councill to Exercise and Execute the said Office according to

such apointm^{t} of our said Councill taking all oathes by us appointed to be taken by our Leivetennant Generall & Cheif Governo^{r} of our said Province. Lib. R. R.

Item that the Method to be used for the future and at all times hereafter for the swearing and Administring of such oathes as are or shalbe by us hereafter apointed to be Administred unto and taken by o^{r} L^{t} Generall Chancelo^{r} Principall Secretary privy Councillo^{r} or privy Councello^{rs} Judges or Justices of our said Provincial Court shalbe in this manner (that is to say) That our Leivetennant Generall for the time being or in his absence his Deputy or Deputyes to be by him apointed shalby virtu of these p^{r}sents and of his and their Office administer unto such ꝑson or ꝑsons as shall hereafter at any time by us or our authority be Chosen or apointed to be our Chancelo^{r} of our said Province the severall oathes apointed by us to be taken by and Administred unto our Chancelo^{r}of our said Province one of our said Privy Councell, and to the Judges and Justices of our said Provinciall Court respectively, and that our Chancelour of our said Province for the time being or in his absence, or in case their be no Chancelour, then three of our Privy Councell of our said Province, to be appointed by our privy Councill of our said Province shall Administer unto such ꝑson or ꝑsons as shall at any time hereafter by us or our authority be Chosen or apointed to be our Leivetennant Generall of our said Province, and unto such ꝑson or ꝑsons as shalby any such Leivetennant Generall be appointed to be Deputy Leivetennant of our said Province such oath and oathes as is or are by us apointed to be Administred unto and taken by the Leivetennant Generall of our said Province in case the ꝑson apointed to be sworne be apointed to be our Leivetennant Generall of our said Province, and in case such ꝑson to be sworne be only apointed to be Deputy Leivetennant of our said Province, then such oath and oathes as is or are by us appointed to be administred unto and taken by the Deputy Leivetennant of our said Province, as also unto the same ꝑson or ꝑsons so to be Chosen or apointed to be our Leivetennant Generall or to be Deputy Leivetennant as aforesayd such oath and oathes as is or are apointed to be Administred unto and taken by the Judges and Justices of our said Provincial Co^{rt} and that our Chancelo^{r} of our said Province for the time being or in his absence, or in case their shalbe no Chancelour then two of o^{r} Privy Councill of our said Province to be apointed by our Leivetennant Generall of our said Province or by his Deputy or Deputyes shall administer unto Every such ꝑson and ꝑsons respectively as shalby us or by our authority be at any time hereafter Chosen or apointed to be of our privy Councill of our said

Lib. R. R. Province such oath and oathes as is or are by us apointed to be taken by such as are or shalbe Constituted as aforesaid to be of our privy Councill of our said Province, and to Every such
p. 12 ꝑson and ꝑsons respectively as shalbe at any time hereafter by us or our authority be Chosen or apointed to be Judge or Judges Justice or Justices of our Provincial Court of our said Province such oath and oathes as is or are by us apointed to be taken by such as are or shalbe so Constituted and apointed as aforesayd to be Judge or Judges Justice or Justices of our said Provincial Court. And wee doe hereby farther Direct and require that no ꝑson or ꝑsons now or hereafter at any time Chosen or apointed or to be Chosen or apointed to Exercise or Execute any the said Office or Offices trust or Trusts before mentioned or any publique Office or Offices, Trust or Trusts whatsoever within our said Province or Dominions shall pʳsume or be Admitted to Execute or Exercise any such Office or Offices Trust or Trusts before he or they respectively shall have duly taken such severall and Respective oath and oathes as is or are by us apointed to be taken by Every Respective ꝑson and ꝑsons Chosen or apointed or to be Chosen or apointed to Execute or Exercise such Office or Offices trust or Trusts which such ꝑson or ꝑsons is are or shalbe so as aforesaid apointed to Execute or Exercise or be Chosen unto.

Item that the severall and Respective oathes hereunto annexed be the severall & Respective oathes hereafter to be Administred unto and taken by the severall & Respective persons to whom they are severally and Respectively Directed to be Administred unto and taken by.

Whereas Mʳ Augustine Herman now Resident in oʳ sᵈ Province hath (as wee are well informed and satisfyed) taken great paines and Care in order to the Draweing and Composeing of a certeine Mapp or Card of our said Province & of the Limits and boundaryes of the same, And is shortly intended to print and publish the same, wee Doe will and Require you that after the said Map or Card shalbe printed and published, and in case upon the strict perusall and Examination of the same you shall finde that the said Herman hath done us Right in stateing the said Limits and boundaryes of our said Province Justly and truly and ꝑticulerly in the True stateing of the said boundaryes and Limits in relation to Watkins Pointe and Delaware Bay that in such Case you recommend the said Herman heartily and Effectually in our name to the Generall Assembly of our said Province then next after to be called or summoned in order to the Receiving some Reward from them for his said Paynes and Care, and that in the meane time you assure the said Herman in our name that in case he doe us

Right as aforesayd upon the first notice thereof to us Given from you our said Leivetennant Generall or you our said Councill wee will give Directions and orders for his imediate naturalization as he hath desired of us. Given under o^r^ hand and Seale at armes the sixteenth day of ffebruary in the foure & Thirtieth yeare of our Dominion over our said Province. Annoque Domini One Thowsand six hundred sixty five Lib. R. R.

On the back side of the foregoing Instructions was thus written (viz) p. 13

Memorandum that on the 17^th^ day of May A° 1666 the within named Philip Calvert Esq^r^ tooke the within written oath of Chancelour of the said Province, the oath of a Privy Councello^r^ and the oath of a Justice of the Provinciall Court, the said severall oathes being then Tendred unto him at S^t^ Johns within the said Province by the within named Charles Calvert Esq^r^ Leivetennant Generall, and Cheif Governo^r^ of the said Province, in the p^r^sence of Richard Boughton, and Jerome White Esq^rs^

Memorandum that the day and yeare above written the within named Charles Calvert Esq^r^ tooke the within written oath of Leivetennant Generall and Cheif Governour of the said Province the oath of a privy Councellour, and the oath of Cheif Justice of the Provincial Court, The said severall oathes being Tendred to him at S^t^ Johns aforesayd by the within named Philip Calvert Esq^r^ Chancelour of the said Province in the p^r^sence of Richard Boughton and Jerome White Esq^r^

Memorandum that the day and yeare abovewritten the within named Richard Boughton Esq^r^ and the abovenamed Jerome White Esq^r^ Tooke the severall and respective oathes following (viz) The said Richard Boughton the within written oath of the Principall Secretary of the said Province, and the said Richard Boughton and Jerome White the oathes of a privy Councellour and Justice of the Provincial Court the said Severall oathes being Tendred to them Respectively by the said Leivetennant Generall and Chancelour at S^t^ John's aforesayd.

Memorandum that the nineteenth day of May in the yeare abovewritten William Evans Esq^r^ and Henry Coursey Esq^r^ did severally take the said oathes of a Privy Councellour and Justice of the Provincial Court the said oathes being Tendred unto them by the said Leivetennant Generall and Chancelo^r^ at S^t^ John's aforesayd.

Memorandum that the Twelveth day of June in the yeare abovewritten Baker Brooke and Thomas Truman Esq^r^ did severally take the said oathes of a Privy Councellour & Justice of the Provincial Co^rt^ The said oathes being Tendred unto them by the said L^t^ Generall and Chancelour.

Lib. R. R. At a meeting of his Excellency and Councill at the City of S[t] Maryes the 13[th] day of December 1671

Present

His Excellency Charles Calvert Esq[r] Cap[t] Generall & Chief Governo[r] of Maryland

The hon[ble] Philip Calvert Esq[r] Chancelour

The hon[ble] { William Calvert and / Edward ffitzharbert } Esq[rs]

Was then read by Robert Ridgely Clerke of the Councill the foregoing Three Comissions and Instruccōns for his Excellency & Instruccōns for his Excellency and Councill, and the same Examined by his Excellency & Councill.

James Lewis brought by the Sheriff of S[t] Maryes County before his Excellency & Councill by virtu of the hono[ble] the Chancelo[rs] warrant, for speaking mutinous and seditious words. Ordered that the said Lewis be bound over to the Provinciall Court to answere the same.

p. 14 At a meeting of his Excellency and Council at the Citty of S[t] Maryes the 4[th] day of January 1671

Present

His Excellency Charles Calvert Esq[r] Cap[t] Generall. The hono[ble] Philip Calvert Esq[r] Chancelour

The hono[ble] { William Calvert Esq[r] / Baker Brooke and / Edward ffitherbert Esq[r] }

The last will and Testament of William Hattoft deceased being Exhibited to his Excellency & Councill, desiring their order about the same.

Ordered that Letters Testamentary be thereupon issued according to usuall forme out of the Secretaryes office in the name of Edward ffitzherbert Esq[r] & Caleb Baker the Execuro[rs] therein named, they giving security according to usuall forme in One hundred Thowsand pounds of Tobacco, to indemnify the Judge for probate of wills &c.

Robert Hawkins brother of John Hawkins deceased coming over into this Country, made his Claime to his said Brothers Estate as heire, and desired the L[res] of Adcōn upon the said Estate comitted to one John Damrell might be quashed.

Ordered by the board that a Citation be issued out of the Secretaryes office retornable the 13[th] day of ffebruary next directed to the said Damrell, thereby comanding him to appeare before his Excellency & Councill and show cause if any he have why the said L[res] of Admcōn to him graunted upon the said Hawkins Estate should not be Vacated upon Record.

The Taxing of Costs in the Respective causes that came Lib. R. R.
to a period the last Provincial Court was referred unto this day, but his Excellency & Councill have thought fit to referre the same, untill the next Councill day which is to be the 25th of this instant January.

John Blomfeild that marryed the widdow of Luke Barbor gentl deceased being ordered this day to attend his Excellency & Councill with the writings belonging to the said barbors Estate, who accordingly this day appeared, and surrendred the said writings up to his Excellency & Councill, who Delivered the same into the hands of the Clerke of the Councill, and ordered him to Keepe them in his hands untill the next Councill day at which time they will take further order in the prmises.

By his Excellency the Capt Generall

Maryland Ss.

Whereas I am informed by Robert Ridgely Deputy to Sr Willm Talbot Baronett Principall Secretary of Maryland that Robert Ellis a Covenant Servant to the said Sr Willm Talbot (and by the said Sr Willm left under the said Ridgleys Comand as an under Clerke in the office) hath sevrall tymes prsumed to absent himselfe from the said Ridgelyes Employmt in the Secretaryes office without so much as asking leave of the said Ridgely and is now at this tyme absent and as the said Ridgely is informed is gone up to Newtowne or thereabouts without any leave or Lycence from the said p. 15
Ridgely And whearas it is Consonant to Reason that Sr Willm Talbot wholly Instrusting the said Ridgely in the said office, he is to be Accomptable for all transaccons therein, and to see the Publique bussines dispatched, I doe therefore hereby Order and Authorize the said Ridgely, if the said Ellis shall at any tyme absent himselfe hereafter from the said Employmt without leave from the said Ridgely To send a Hue & Cry after him as after a Run Away servant, and if he shall Refuse to obey the Lawfull Commands of the said Ridgely, then the said Ridgely to torne him out and hyre such other pson in his place as to him shall seeme meete, Given under my hand the 4th of September 1672

Charles Calvert

By his Excellency The Capt Generall.

Maryland Ss.

Locus sigilli

fforasmuch as I have graunted licenses to severall psons within this Province for the Keeping of a publique Ordinary which licenses were restrained to only a

Lib. R. R. yeares time to Keepe ordinary and then to be voyd, and for that I am informed that severall ꝑsons in the Respective Countyes of this Province doe pʳsume to keepe ordinary notwithstanding they have no licenses, or Else their licenses are voyd and out of Date

These are therefore to Coⁿand you that you make publique proclamacō through your Baliwick that all ꝑsons that keepe any publique ordinary within the same Either by vertu of any license from me, or without any license at all doe ꝑsonally appeare before me at the Citty of Sᵗ Maryes the Tenth day of December next and bring with them such licenses as they have by vertu of which they Keepe ordinary or some Testimonialls from the Comissioners of the County where they live that they are ꝑsons fitting to Keepe ordinary, and so take out new licenses, and enter into such Recognizance as the Lawes of this Province doe Enjoyne, or Else to proclaime that wee doe hereby vacate the said licenses to them formerly graunted, and shall proceed agᵗ them as ꝑsons that sell Drinke and Keepe ordinary without lycense, Given undʳ my hand and seale at Armes the sixth day of October in the 41ᵗʰ yeare of the Dominion of the Right honoᵇˡᵉ Cecilius &c Annoque Domi 1672

To Christopher Rousby gentl high Sheriff of the County of Calvert — Charles Calvert

The like sent to all the other Sheriffs of the Respective Countyes.

At a Councill held at the Citty of Sᵗ Maryes the third day of October in the 41ᵗʰ yeare of the Dominion of Cecilius &c Annoq Domini 1672

Present

The honᵇˡᵉ { Philip Calvert Esqʳ Chancelorʳ; William Calvert; Thomas Truman &; Baker Brooke } Esqʳˢ

Whereas Complaint hath beene made to this board that
p. 16 Thomas Gerard late of Sᵗ Clements Mannorʳ hath Endeavoured to carry away out of this Province a frend Indian of Choptico named Asatop by the English called Robin wee doe hearby order that neither the said Gerard nor any other ꝑson whatsover shall transporte out of this Province the said Asatop alias Robin without the lycense of the Governorʳ of this Province under his hand & seale first had & obteined as he or they will answere the Contrary at their perills and undʳ the

paines & penaltyes in the Law against transporting ffrend Indians out of this Province provided and Conteyned. Lib. R. R.

At a Councill held at the City of S^{t} Maryes the twelveth day of December in the 41th yeare of the Dominion of Cecilius &c Annoq Domini 1672

Present His Excellency Charles Calvert Esq^{r} Cap^{t} Generall & Cheif Gover^{r}

Philip Calvert Esq^{r} Chancelo^{r}
Baker Brooke
Edward ffitzherbert
} Esq^{r}

Then was the hono^{ble} Jesse Wharton Esq^{r} sworne one of his Lo^{pps} Councello^{rs} of this Province and tooke his place accordingly.

The Councell ord^{r} Proclamac$\bar{o}$n to issue to Certefy all people that if they are any wayes p^{r}judiced or Damaged by the miscarriage of the Dep^{ty} Surveyo^{r} if they doe not seeke for Reparation in six moneths time after such miscarriage is Comitted the person that is so p^{r}judiced to be left Remediles, against the Surveyo^{r} Gen^{r}all his Deputyes six moneths from the Date of this ꝑclamation for what is already done and six moneths from the time that the injury is Done afterwards.

Vide ꝑcl lib Councill H fol 121.

At a Councill held at the Citty of S^{t} Maryes Aprill 10th 1673

Present

His Excellency The Gen^{r}all
The hon^{ble} the Chancelo^{r}
The hono^{ble} W^{m} Calvert Baker Brooke Thomas Truman
Jesse Wharton and Samuell Chew Esq^{r} Counc^{lr}

Then was the hono^{ble} Thomas Taylo^{r} Esq^{r} sworne one of his Lo^{pps} Councillo^{rs} of this Province and tooke his place accordingly.

[Commission to Robert Ridgely.]

By his Excellency The Cap^{t} Generall

Maryland Ss:

Locus Sigilli Charles Calvert

fforasmuch as the Right hono^{ble} the Lord Proprietary of this Province hath Revoaked his Comission of Principall Secretary of this Province graunted unto S^{r} W^{m} Talbot Baronet in which was included the Clerkes place of the Provincial Co^{rt} of this Province and for that his Lo^{pp} hath left the Disposall of the said place to me, I doe

Lib. R. R. hereby Depute authorise and Empower Robert Ridgely to be Clerke of the said Co^{rt} and to be Register of the Court of Chancery during my pleasure, and the said office to Execute in as full and ample manner as any other Clerke of the said Co^{rt} heretofore used & Exercised the same, and to aske Receive and take all fees dues Vayles Reguards belonging and appertening to the said office to the said Ridgely's owne use without being accountable for the same to any ꝑson from the Tenth day of September last untill and During such time as he shall Execute the same and for his so doeing this shalbe his sufficient warrant Given und^{r} my hand and Seale at armes this 25th day of Aprill in the 41th yeare of the Dominion of Cecilius &c. Annoq Domini 1673.

[Commission to Philip Calvert.]

p. 17 C Baltamore 1673

Cecilius &c. To our Dearly beloved Brother Phillip Calvert Esq^{r} our Chancell^{r} of o^{r} said Province of Maryland. Greeting. Whereas for the due Administracō̄n of Justice it is most necessary that there be a succession from the Dead to the Liveing. And that the wills of all persons dyeing who in their life time doe make wills may be duely prooved, and Letters of Administration of all ꝑsons dyeing without wills may be graunted to such ꝑsons who have the best Right to succeed therunto, that there may (in that case) be noe failer of Justice but that it may be duly Administred to all People within the said Province of Maryland. Know Therefore that wee Trusting in the abillity Care & integrity of you our said Brother have Constituted and Ordeyned, and by this our Comission doe Constitute and Appoint you our said Brother to be our Judge or Comissary Generall for Probate of wills and Graunting of Administracō̄ns within the whole Province of Maryland affores^{d} and the Islands thereunto belonging. And for all manner of causes Relateing to the probate of wills & Graunting of Administracō̄ns of the goods & Chattells of all persons already deceased or hereafter deceasing as to any Goods or Chattells which they have or shall have within the said Province of Maryland and in all the Incidencyes and Emergencyes thereunto belonging or thereupon Arriseing, and in all matters Concerneing the Exhibiting of the Inventoryes or Accompts upon the makeing probate of any such will or wills or Graunting of any Letters of Administracō̄n, and of all and eu^{r}y the Rights and Appurtenences thereunto belonging, at the suite or instance of any ꝑson or ꝑsons haveing or pretending to have Interest, and To Proceed & Determyne, sentence, decree and Adjudge the same & every of them, and to

Administer Right and Justice to all & eu^ry ꝑson therein, Lib. R. R.
According to the Lawes in such cases, and according to the vsage and Customes of the said Province, And, wee doe also hereby Graunt unto you all other powers & Priveledges Rights and Jurisdictions Lawfully belonging to a Court for makeing Probate of wills or graunting of Letters of Administracō as aforesd. and all due & Just ffees, Proffits, & Emoluments belonging to a Judge of such a Court as shall be Agreed by & settled by our Leivten^t and Councell in our said Province. Saveing to all & eu^ry person & persons that shall Consider themselves agreived their Lawfull Appeales to us, or in our Absence to our Leivetenant of the said Province for the tyme beeing or such other person or persons as we or our said Leivetenant shall Appoint to heare & Determine the same, To have hold Excercise and Enjoy the said office of Judge & Comissary Gen^ll afforesaid in our said Province unto you our said Brother And so to Remayne and Continue Doe p. 18
and Exercise all and singuler the premisses till wee shall signifie our Will and pleasure to the Contrary. Given under hand and Greater Seale at Armes the Twentieth of November in the XXXXI^th yeare of our Domion over our said Province of Maryland Annoq Dom 1672

By his Lo^pps Comand Charles Playdell

On the back side of the foregoing Comission was Endorsed as ffolloweth.

Memorand The Oath of Cheife Judge for Probate of wills & granting Letters of Administration was this 24^th of Aprill 1673 Taken by Phillip Calvert esq^r Chancell^r of this Province before me & is as followes

Charles Calvert

I Phillip Calvert will truely and faithfully Execute the office & place of the Judge or Comissary Generall for the proveing of wills & graunting of Administrations, and in all other matters & causes incident and Dependent thereunto and will Administer Justice Equally to all partyes without any partiallity according to the best of my skill & Judgem^t soe God Almighty helpe me and the holly Contents of that Booke.

You are upon Receipt hereof to Deliver unto the Chancell^r all such Records Papers & wryteings as any wayes Concerne & Relate to the Probate of wills and graunting of Administracōns, and also to take a List of what Records and other wrytings you shall Deliver, with the Chancell^rs Receipt, under the same, for all which this shalbe your sufficient order. from under my hand this 24^th of Aprill 1673

Charles Calvert

Lib. R. R. To Robert Ridgely Clerk of
the Secretaryes office at S[t] Maryes

A List of Records Belonging and Relateing to Testimentary busines, and Delivered to the Hon[rble] Phillip Calvert Esq[r] Cheife Judge in Testimentary busines the 26[th] day of Aprill 1673. by order from his Excellency the Cap[t] Generall.

Lib. G. Booke of Administracōns from 1636 to 1640
D. Booke of Admicōns from 1658 to 1659
N. Booke of Admincōns from 1659
M Booke of Admincōns from 1660 to 1662
T. Booke of Admincōns from 1662 to 1663
W. Booke of Admincōns for Anno 1664.
p. 19 G. G. Booke of Admincōns from 1665 to 1666.
H. Booke of Admincōns 1666. 1667 & 1668
H. H. Booke of Admincōns 1668 & 1669.
R. R. Booke of Admincōns 1670.
S. S. Proceedings in Testimentary busines 1670 to 1672.
T. W. Booke of Admincōns from 1670 to this day.
A Bundle of Patents & papers belonging to Stavlyes Orphants Lands 1672
A Bagg of Papers belonging to John Parker M[r]chant Decead.
John Manwarings Keyes.
James Cullums Key and paps. Waterlins pap[s]
A parcell miscellanyes Pocket bookes. and other loose pap[s] belonging to dead mens Estates uncertaine to whome they Apptayne
A file of old wills & Inventoryes the uppmost of which bore date 1663

N° A. a great Bundle of Bonds Admincōn
N° B. a Bundle Ditto
N° C. a bundle Ditto
N° D. a bundle Ditto
E. a bundle Ditto
ff. a bundle Ditto now in use
G. 4 bundles wills marked as in margent
H. 6 bundles of Inventoryes & Acc[ts]

I Doe hereby Acknowledge to have Received the above written Records and sevrall Bundles of Papers from the hands of M[r] Rob[t] Ridgely this 25[th] day of Aprill 1673.

Phillip Calvert.

Wittnesse. John Grigg.

Fees for ꝑbate of wills and upon Adcōns in Maryland Lib. R. R.

	1 Tob:
ffor Every L^re^ of Adcōn or L^re^ Testamentary viz probate	100
for Every bond	60
for the oath to Exhibite an Inventory	16
for Every warr^t^ to app^rs^	28
for Every warr^t^ to sweare th^m^	28
for Every Cōmon to prove a will	100

for Registring wills Inventoryes acc^ts^ &c at 16^l^ ꝑ side
for filing Every libell answere Replication or Rejoynd^r^ &c as for Registring wills Inventoryes &c 16^l^ ꝑ side
In Maryland the proving of a will by Cōmon comes to 332
To w^ch^ is to be added 16^l^ ꝑ side for Recording wills Inventoryes &c according to the length of th^m^ settled in the act for Secretaryes ffees.
And if the wilbe proved at the office without Cōmon it Comes to besides 16^l^ ꝑ side 232

On the back side of the aforesayd list of ffees was thus written (viz)

Memd that the within Docket of ffees was allowed of by his Exc^lly^ Charles Calvert Esq^r^ being in p^r^sent in Co^rt^ W^m^ Calvert Esq^r^ Jesse Wharton Esq^r^ & Thomas Truman Esq^r^ on the 26^th^ of June 1673 Charles Calvert

[Commission to Thomas Howell.]

Charles Calvert Cap^t^ Generall and Cheife Governo^r^ of the p. 20
Province of Maryland und^r^ the Right hono^ble^ Cecil Lord Baltemore absolute Lord and Proprietary of the same To Cap^t^ Thomas Howell of the County of Baltamore in the said Province of Maryland gentl Greeting Whereas his most Excellent Ma^ty^ Charles the first (of blessed memory) King of England Scotland ffrance and Ireland defender of the faith & did by his Letters Patents under the greate Seale of England bearing date the 20^th^ day of June in the Eighth yeare of his Majestyes Reigne and in the yeare of our Lord One Thowsand six hundred thirty Two graunt unto the said Lord Proprietary this Province of Maryland according to the bounds in the said Letters Patents mentioned and Expressed, wherein his said Ma^ty^ of blessed memory specefyeth the bounds of the said Province to Extend to the Seaborde side and Delaware bay to the fortieth degree of Northerly latitude, and for that the said Lord Proprietary hath lately Erected a County on the said Seaborde side at a place called the Horekeele and called it by the name of Worcester County which said County was inhabited by several ꝑsons who had taken the oath of fidellity

Lib. R. R. to his said Lo^pp and for that I am informed that sev^rall ꝑsons subjects of the States Gen^rall of the united Provinces have since taken possession of the said County by force of Armes to the utter Ruine of sev^rall the Inhabitants of the said County & Disinherizon of his said Lo^pp of his Just Right, I therefore upon the speciall Trust and Confidence that I have in your fidellity circumspecc̄on courage and good Conduct doe hereby Constitute ordaine and appointe you the said Cap^t Thomas Howell Comander in Cheif under me of forty able men to be Raysed & pressed by you in the County of Baltamore sufficiently provided with Armes and Amunition and them to traine Muster & Exercise in the Art of Warre, and from the said County of Baltamore to leade them away, unto the said County of Worcester and there by force or otherwise to surprize and take and possesse the said place called the Horekeele and the said County of Worcester and the same to Keepe and Defend for the use of the said Lord Proprietary and in case of any Resistance by any Enemy or Enemyes to fight and Overcome Kill Destroy and vanquish as occasion shall Require. And I doe hereby Empower you to pr^sse such men not Exceeding the number of forty in the said County of Baltamore as you shall Judge fit for such a Designe and also to p^rsse all such armes and amunition Provision & horses necessary for the accomodation of yo^rself officers & souldiers, and in case of any Rebellion Tumult or sedition of any of yo^r souldiers then I Doe hereby Empower you to ꝑceed ag^t them according to Martiall Law and I Doe also hereby Empower you to make & Constitute such & so many officers millitary under you for comanding the said party as to you shall seeme meete And if it shall so happen (as I doe not in the least doubt) that you shall wynn the said place by assault surprize or otherwise then to ꝑceed with such Enemy or Enemyes that shall Resist & oppose you Either according to martiall Law or otherwise as you shall thinke fit and the Emergency of the occasion shall Require, and the said place when taken to Com̄and yo^rself or depute such officer or officers for the same as you can confide in (if you cannot Conveniently stay yo^rself to Remaine their) and to keepe and Defend the said place by force or otherwise, against all ꝑsons untill I shall signify my will & pleasure therein, and I Doe hereby Comand you to send me speedy notice from time to time of yo^r ꝑceedings herein, that I may take such ord^r about the same as shalbe for his Lo^pps Service, and I Doe hereby Comand and Require all ꝑsons to yeild all due obedience to you the said Thomas Howell in all thinges apperteyning to the office and Com̄and hereby conferred on you as they will answere the Contrary at their perrills and for yo^r proceedings herein this

shalbe yo^r warrant. Given und^r my hand and Seale at Armes the first day of October in the Two and fortieth yeare of the Dominion of his said Lordship over this Province of Maryland and in the yeare of our Lord God One Thowsand six hundred Seaventy and Three. Lib. R. R.

At a Councill held at the Citty of S^t Maryes the Seaventeenth of Novemb 1673 wherein was p^rsent p. 21

His Excellency The Cap^t Gen^rall
The hono^ble { Philip Calvert Esq^r Chancelo^r, Jesse Wharton &, Thomas Taylour } Esq^rs

Upon a motion of the hono^ble Baker Brookes Esq^r Surveyo^r Gen^rall of this Province that in the Act of Assembly for Surveyo^rs ffees their was no provision made what any surveyo^r should have for Resurveying any quantity of Land whereby the Deputy Surveyo^rs are left to their owne liberty and take what they please to the greate oppression and impoverishing of Diverse of the Inhabitants of this Province his Exc^lly and Councell taking the same into their Consideration for p^rvention of the like Inconveniences for the future Doe order that the Surveyo^r have Double ffees for Resurveying any pcell of land that shall Conteine One hundred and forty acres or more and for any pcell of land conteining und^r One hundred and forty acres the Surveyo^r shall Demaund and Receive foure hundred pounds of Tobacco for the Resurveying thereof and no more, and of this all Deputy Surveyo^rs within this Province are to take notice at their pills and the Sheriff of Each County is to publish this ord^r at his County Co^rt and affix a coppy thereof at the Court house Dore of Every Respective County that so the people and Surveyo^rs of Each County having notice hereof the inconveniences which formerly hapned upon such Exactions may be p^rvented.

Locus sigilli. Instructions given by the Right hono^ble Cecilius Lord Baltamore absolute Lord and Proprietary of Maryland & Avalon to his Deare Sonne Charles Calvert his Lo^pps Leivetennant of Maryland.

1. His Lo^pp doth hereby authorise his said Sonne to Suspend from time to time any of his Lo^pps officers or Councill in Maryland of what Quality or Condic̄on soever they be from the Execution and proffits of their Respective office or offices & from being of his Lo^pps Councell theire if he finde Cause for the same & to take into his Custody all such thinges

Lib. R. R. as belong to any such office or offices & to dispose of the Execution and Receiving of the proffits thereof as he shall thinke fit till upon notice thereof his Lo^pp^ shall give other ord^r^ therein any Comissions Instructions warrant or ord^r^ heretofore given or graunted by his Lo^pp^ to the Contrary in any wise notwithstanding.

2. His Lo^pp^ having Received from his Nephew Baker Brooke Esq^r^ his Surveyo^r^ Gen^r^all of Maryland a ꝑticuler of certeine lands Escheated to his Lo^pp^ in the said Province together with an Estimate of their Respective vallues
p. 22 Retorned to him the said Brookes by William Hemsley Deputy Surveyo^r^ of Talbot County in the said Province, and also a Duplicate thereof w^ch^ his Lo^pp^ sends herewith, and hath signed the same, It is his Lo^pps^ pleasure, and he doth hereby authorize his said sonne to sell in the first place so much of the said Escheated Lands to such ꝑson or ꝑsons as he shall thinke fit, and that shalbe willing to buy the same as may Raise Cleare of all Charges & Deductions Two hundred pounds Sterling for his Lo^pps^ Deare sister M^rs^ Ann Peasely w^ch^ his Lo^pp^ is willing to bestow upon her, and to Cause the same to be Retorned unto her as soone as may be by good bills of Exchange first second & third with Letters of Advice thereupon and not in any other Comodity w^ch^ may miscarry in its Conveyance from thence to England in ord^r^ whereunto his Lo^pps^ pleasure is that in case so much of the said Land be sould for Tobacco it must be for so much of that vallue to be sould there, And that his sonne doe accordingly sell the same there for so much money to be payd to her heere by good bills of Exchange for the due paym^t^ whereof he is to take good Security there. Provided that their be Reserved the yearly Rent of Two shillings sterling for Every fifty acres of the said Land to be payd to his Lo^pp^ & his heires forever, and that all Royal Mines be Excepted in the graunt of the said Lands.

3. That after the said Two hundred pounds sterl be Raysed as aforesayd out of the said Escheated Lands for his Lo^pps^ said Sister his Lo^pps^ said sonne dispose of the Residue of the said Escheated Lands for his Lo^pps^ best advantage Either by lease for 21 yeares or for one or Two or three lives, or for any number of yeares Determinable upon one Two or three lives or by sale of the Inheritance thereof to such as shalbe willing to buy the same, Provided that all Royall Mines be Excepted in all such leases or sales, and that theire be a yearly Rent of 2^s^ sterl at least for Every fifty acres of the said Land Reserved to be payd to his Lo^pp^ & his heires forever.

4. That whereas his Lo^pp hath often Directed that his L^t & Lib. R. R.
also his Surveyo^r Generall there should from time to time
Cause two Manno^rs at leaste to be layd out in Every County
of the s^d Province & Reserved for the private use of his Lo^pp
& his heires Each Manno^r to Conteyne 6000 Acres of good
Land at the leaste and that a ꝑticuler of the said Manno^rs
should be from time to time sent to his Lo^pp in all which he
hath never yet Received any good satisfaction, notw^thstanding
he lookes upon it as a thing of very greate Concernm^t to him &
his posterity to have his Directions therein punctually observed,
his Lo^pp doth therefore hereby strictly Charge and Require
his said sonne to Cause satisfaction to be speedily given to
his Lo^pp therein, and to Cause the said Manno^rs to be duly & p. 23
Exactly Recorded in the Secretaryes office in Maryland and a
true Coppy thereof sent to his Lo^pp and that no p^t of the s^d
Manno^rs be Disposed of till his Lo^pp after he hath Received
true ꝑticulers of them shall give speciall ord^r therein. Given
und^r his Lo^pps hand & lesser Seale at Armes this 14^th day of
December 1673

C Baltemore

Entered the 16^th of March 1673 Robert Ridgely Clerke.

[Commission to William Calvert.]

C. Baltemore Cecilus &c To our L^t & other officers in Maryland and to all others whom it may Concerne Greeting Know yee that wee Reposing Especiall Trust & Confidence in the wisedome Dilligence Experience and ffidelity of o^r Trusty and Deare Nephew William Calvert Esq^r have Constituted apointed & ordained, and by these p^rsents doe Constitute appointe & ordaine him the said William Calvert to be o^r Principall Secretary of o^r s^d Province of Maryland, and to have all such priviledges & benefits as belongeth to o^r Principall Secretary there. And wee doe by these p^rsents apointe Constitute and ordaine the said William Calvert to be o^r Principal officer and Keep of the acts and proceedings of us and o^r L^t & Councell there for the time being and of and for the Entring & Recording of all graunts by us or our heires to be made of any Lands or offices within the said Province of Maryland. To have and to hould Execute and Enjoy the said office of Principal Secretary Together with the priviledges & benefits aforesayd unto the said William Calvert untill wee or our heires shall signify our or their pleasure on the Contrary and no longer. Provided alwayes that he take in open Co^rt in o^r s^d Province the oath of o^r Secretary there before he sit or Act as Secretary in o^r said Province to be likewise Administred unto him by o^r said Leivetennant or any

Lib. R. R. two of o[r] Councill there who are hereby Respectively Impowred and Required to Administer the same unto him accordingly Provided also that he the said William Calvert shall from time to time & at all times ꝑmit and suffer our Trusty & welbeloved Kinsman John Darnel gentl peaceably & quietly to hould Enjoy & Execute the place or office of Clerke of Calvert County Court in o[r] said Province of Maryland Together with the proffits thereunto belonging according to the purport Effect & True meaning of o[r] Graunt of the said office of Clerke of Calvert County Co[rt] to the said John Darnell gentl by o[r] Comission und[r] o[r] hand and greater seale at Armes bearing Date the fourth day of December in the 42[th] yeare of our Dominion ov[r] o[r] s[d] Province of Maryland any thing herein Conteyned to the Contrary in any wise notwithstanding. Given und[r] o[r] hand and greater Seale at Armes the Tenth day of December in the 42[th] yeare of o[r]
p. 24 Dominion ov[r] the said Province of Maryland Annoq Domini 1673.

By his Lo[pps] Comaund
George Peirson Scr.

On the back side of the foregoing Comission was thus writ
The 16[th] of March 1673.

Then was the within named William Calvert Esq[r] sworne his Lo[pps] Principall Secretary of this Province according to the Teno[r] of the within written Comission before me.

Charles Calvert.

Maryland Ss. A list of Records belonging to the Secretaryes Office delivered by Robert Ridgely late Clerke of the Provinciall Court by Order of His Excellency the Cap[t] Generall unto the Hon[ble] William Calvert Esq[rs] Principall Secretary of Maryland the 23[th] of March 1673.

Lib. A Provinciall and Lands 1646 to 1650.
B. the same and one Alphabett to both bookes.
C. Provinciall Booke from 1638 to 1644.
D. Booke of Instructions.
E. Provinciall Records from 1642 to 1644.
F. Records for Lands from from 1640 to 1643.
G. Entry of Lands from 1650 to 1655
J & K Burkes two bookes of R[tt] from 1649 to 1657
L. Lands from 1656 to 1657
P. Booke of R[tt] for and warr[ts] 1666
Q. Lands 1658.
R. Lands 1659
S. Provinciall booke from 1658 to 1662

T. Bonds and Cocquets &c Anno 1664 Lib. R. R.
X. Lands from 1661 to 1663.
Y. Journall of the Lower house Anno 1664 held the 3[d] of Oct[r] 1663
Z. Protests 1663
A. A. Lands 1663
B. B. Provinciall Booke 1663
C C. Lands 1664 & 1665
D D. Lands 1665
E. E. Lands 1665 & 1666.
ff. ff. Provinciall Booke from 1665 to 1658
ff. ff. Lands 1667
G. G. Lands 1667 & 1668 and ends with the beginning of 1669
H. H. Council booke 1656
I. I. Rough draughts of M[r] Brettons 1658
K. K. Cocquets Anno 1665.
H. H. Lands 1668 & 1669 p. 25
two bookes of Lawes marked W. C & C. D.
5 Ledgers viz. S[t] Maries, Kent, Ann Arrundell, Baltemore and Talbott to the yeare 1660.
B. B. Entryes of writts from 1667 to this day the 23[th] of March 1673
Rough draughts of M[r] Brettons 29th Januy. 1662
Journalls of the Lower house in 1666. 1669. & 1671.
Y. Journalls of Assembly & Acts in the Upper house from 1651 to 1671.
J. J. Lands 1669
J. J. Council booke 1670
J. J. Provincial booke 1669 to 1672
Z & ZZ. Publique Levyes 1668. 1670. 1671.
Protests 1669.
C. B. Comissions from his Lordshipp
I. B. Admiralty from 1669 to 1672
Conveyances of Land in S[t] Maries County.
R. M. Lands at the Whorekeele 1670
W. T. Lands 1670. 1671. & 1672
M. M. Lands 1672 & 1673.
L. L. Lands 1673.
M. M. Provinciall 1672 & 1673
R. R. Registry in Chancery 1668
P. C. Register in Chancery 1671
N: N: Criminalls 1673
R. R. Councell Booke 1673 frō 1671.
Severall bundles of papers to wit One bundle of Conveyances to be delivered to the Right

Lib. R. R.

Owners, severall bundles of Certificates, severall bundles of Provincial papers, severall files of writts and Other bundles of miscellanyes
The bundle of the Provinciall Court now in use
The bundle of Chancery papers now in use
Bundle of declarations filed since last Court
K. K. Lands 1670.

Know all men by these presents That I William Calvert Esq^{r} Secretary of Maryland doe hereby acknowledge to have received from the hands of Robert Ridgley by Order from his Excellency the Cap^{t} Generall of Maryland the Records specified and mentioned in this paper as also the lesser Seale of this province for all which I doe hereby discharge as well his said Excellency as the said Robert Ridgely In wittnes whereof I have hereunto sett my hand and Seale the three and twentieth day of March in the 42th yeare of the Dominion of Cecilius &c Annoq Dom. 1673.

Will Calvert [Seale]

Sealed and delivered in
the p^{r}sence of
Jn^{o} Blomfeild
John Griggs

p. 26 Comission the 27th of March issued to Edward Clerke of S^{t}. Maries County to be Clerke of the County Court dureing pleasure.

[To Secretary Calvert.]

Cozen. I have some Occasions to sue some persons at this next Provinciall Court in the behalfe of his L^{opp} and the Attorny Generall not being in these parts I have employed the bearer hereof Robert Ridgely as Attorny in the Cases wherefore though not as yet sworne (which shall be the next Court) pray lett him have such writts as he shall desire to take out and the same priveledge as any other Attorny hath which is all from

Y^{r} Servant
Charles Calvert

Mattapenny April 6th
1673

Att a Council held at the Citty of S^{t} Maries the 14th day of April in the 42 yeare of his Lo^{pp} Dominion &c Annoq Dom 1674

Present Lib. R. R.

The Hon^ble His Excellency the Cap^t Gen^ll
The Hon^ble Philip Calvert Esq^r Chancellour
The Hon^ble William Calvert Esq^r Secretary
The Hon^ble Baker Brooke Esq^r

Ordered that the Country house at the Citty of S^t Maries be left in as good tenantable Condicōn by M^r Richard Moy as it was when he entred and forasmuch as M^r Moy is now in possession that he have the refusall of a lease thereof for five yeares paying five thousand pounds of tobacco yearely for the same the said lease not to be assigned without the consent of his Excellency the Cap^t Gen^ll.

April 18^th 1674.

Cōmission then issued to Edward Williams of Talbott County to be Clerke of the County Court of Baltemore County dureing the Secretaryes Pleasure or so long as he shall well demeane himselfe and not be convicted of any misdemeano^r in the execution of his said Office.

The like Cōmission, then also issued to W^m Hemsley of Talbott County to be Clerke of the Court of the same County with the Limitation aforesaid.

April the 24^th 1674

Cōmission then issued to Mathew Stone of Charles County Gen^t to be Clerke of the County Court of the same County with like limitation, as Other County Court Clerks.

April 29^th 1674

Cōmission then issued to Richard Boughton of Ann Arrundell County Gent. to be Clerke of the County Court of the same County with like limitation as other County Court Clerks.

May 5^th 1674

Cōmission then issued to Edmund Beauchamp of Somersett County to be Clerke of the County Court of the same County with like limitations as other County Court Clerks.

[Secretary's Oath.]

I William Calvert Doe Sweare that I will be true and faithfull in all things vnto the Right Hono^ble Cecilius Lord Baron of Baltemore true and absolute Lord and Proprietary of this Province of Maryland, and of all & singular the Dominions Islands and Territories thereunto belonging and to his heires & assignes Lords & Proprietaryes of the said Province and all & every his and their rights royaltyes and Jurisdictions p. 27

Lib. R. R. Dominions Seignioryes and authorityes I will at all tymes preforme maintaine defend and Keepe according to the vtmost of my Skill and power. I will well and truly according to my best Skill & power at all times performe Execute and Excersise the severall and respective Offices of Principall Secretary and of Publique Notary of and within the said Province and all and every the Office and Offices Powers & Authorities Comands Orders & directions relateing to the said Offices before mencōned given and committed or to be given or committed vnto me by his said Lordshipp or by Authority Justly and lawfully derived from his said Lo^{pp} I will truly endeavor faithfully and carefully to preserve and Keepe or cause to be preserved and Kept all the Records of or belonging to the said Province or his said Lo^{pp} w^{ch} shall come into my hands and ꝑperly belong vnto all or any the aforesaid Office or Offices and to my care and custody so Long as the same shall by his said Lo^{pp} be permitted to remaine in my custody. I will not wilfully and fraudulently raze deface alter change or Embeazell or cause or procure to be wilfully or fraudulently razed, defaced, altered, changed or Embeazelled the said Records or any of them, I will truly and faithfully Keepe all & every the Seale and Seales belonging to all or any the aforesaid Office and Offices or any of them so long as the same shall be permitted by his said Lo^{pp} to remaine in my Custody and will not directly nor indirectly vse permitt or suffer the same or any of them to be vsed contrary to my duty and the trust and trusts reposed in me by his said Lo^{pp} Nor will I directly or indirectly accept of or execute any place Office, power authority or imployment whatsoever within this Province & relateing any wayes to the Goverment of this Province or of any part thereof or of any the Dominions or Territories thereto belonging or to be belonging but by from and vnder his said Lo^{pp} his heirs & assignes Lord and Proprietary Lords and Proprietaryes of this Province or by from or vnder a true and lawfull Authority derived or to be derived from him them or some of them vnder his their or some of their hand and seale, hands and seales and dureing such time and times only as I shall by him or them or by such authority so derived or to be derived from him them or some of them as aforesaid to be lawfully authorized so to doe, I doe also Sweare that at all tymes and in all cases where I shall Know or apprehend any attempt, danger wrong or prejudice to be done Suffered or intended to or against his said Lo^{pp} or to the disinheriteing of his said Lo^{pp} or to the decreaseing diminishing or prejudice of his Powers Prerogatives Jurisdictions Rights & Revenues or Benefitts or any of them I will doe all my power and apply my Skill industry interest and diligence to let hinder prevent

and redresse the same and in case I cannot so doe that I will Lib. R. R.
then clearly plainly Expressely timely and Speedily discover
and reveale the same with my best advice & Councill vnto his
said Lordshipp or vnto his said Lo^{pps} Leiftennet Generall or
cheife Governour of this Province for the time being or vnto p. 28
the deputy or deputyes of such Leiftennet Gen^{ll} or Cheife
Governour or vnto his said Lo^{pps} Privy Councill of this Prov-
ince for the time being. And I doe further sweare, that I will
in all things and vpon all occasions doe right & justice to all
manner of people Rich and poore according to the Lawes and
vsages of this Province and the vttmost of my Skill and
Judgm^{t} without favor or affection hatred or malice to any
ꝑson or ꝑsons whatsoever, and I will in all things to the
vttmost of my power, observe performe maintaine and Keepe
and ꝑcure to be observed performed maintained and Kept in
all things One certaine act of Assembly made in the nine-
teenth yeare of his said Lordshipps Dominion Over this Prov-
ince entituled An Act concerning Religion and all & Every
the articles and clauses therein contained wthout doeing or
willfully consenting vnto or countenanceing the doeing of any
act or thing which may directly or Indirectly tend to the
infringing or violateing the same or any part thereof

So help me God and by the Contents
of this Booke

June 4th 1674.

Comission for the Peace in Calvert County then issued to

Major Thomas Brooke
Thomas Sprigg
ffrancis Swanstone
} Gent of the Quorum

Roger Brooke
William Groome
Edward Keene
Tobias Norton
Cuthbert ffenwick
John Gittings
Richard Ladd
Robert High
} Gent Justices

John Darnelll Clerke ut est in lib Consil
H : H : fol 246 mutatis mutandis

June 4th 1674

Comission for the peace in Ann Arundell County then issued to

William Burges
Robert Burle
Samuel Lane
John Homwood
} Gent of the Quorum

Lib. R. R. Richard Ewen
John Welch
Robert ffrancklin
Richard Hill
Nathaniel Heathcoate
Thomas Hedge } Gent Justices

Richard Boughton Clerke ut est in lib Consil H : H : fol 246 mutatis mutandis.

p. 29 June 4th 1674.

Comission for the peace in Dorcester County then issued to

Daniel Clarke
Robert Winsmore
William Stevens
John Hudson } Gent of the Quorum

Henry Tripp
Stephen Grey
Bartholomew Enalls
Henry Hooper
William fford
Thomas Skinner
Charles Hutchins } Gent Justices

Edward Savage Clerke ut est in lib Consil H : H : fol 246 mutatis mutandis

June 5th 1674

Comission for the Peace in Baltemore County then issued to

George Utie
Samuel Boston } Gent of the Quorum

George Wells
Thomas Long
Richard Ball
Henry Haslewood
Jn° Waterton } Gent justices

Ut est lib Consil H : H : fol 246 mutatis mutandis

June 6th 1674

This Comission vacated & another granted fol. 32

Comission for the Peace in Cecill County then issued to

Thomas Howell
Joseph Weekes
Thomas South
Nathaniel Stiles } Gent of the Quorum

John Vanheck
Augustine Herman
Henry Ward
James Ringold
John Gilbert
Abraham Wild } Gent Justices.

Ut est lib Consil H : H : fol 246 mutatis mutandis with this addition viz.

The said County to begin at the mouth of the Susquehan- Lib. R. R.
ough River and so downe the easterne side of the Bay to Swan point and from thence to Hell point and so up Chester River to the head of it.

Proclamation
By his Excellency the Cap[t] Generall of Maryland.

To all the Inhabitants of the said Province or Others whom these may concerne Charles Calvert Esq[r] Cap[t] Generall of the said Province sendeth Greeting Know yee That whereas severall persons are already seated within the limitations p. 30
hereafter mentioned and aswell for the preservation of the peace in that part of the province as for the ease and benefitt of the Inhabitants there or which shall hereafter inhabite there I doe hereby declare & publish that from the mouth of the Susquehanough River and so downe the easterne side of Chesepeake Bay to Swan point and from thence to Hell point and so up Chester River to the head thereof is hereby erected into a County and called by the name of Cecill County. And I doe hereby further declare that the Southerne bounds of Baltemore County be the South side of Potapsco River and from the highest plantation, on that side of the River due south two miles into the woods And that the north side of Petuxent River begining at the north side of Lynns Creeke be adjoyned to Ann Arrundell County And that the Sheriffs of the severall respective Countyes of Cecill, Baltemore, Ann Arrundell and Calvert make proclamation hereof in their said Countyes respectively and imediately after proclamation Coppy hereof affix at the Court house doore of their respective Countyes In wittnes whereof I have hereunto sett my hand and caused the lesser Seale of this province to be hereunto affixed the sixth day of June in the 42[th] yeare of the Dominion of Cecilius &c Annoq Dom. 1674

Charles Calvert

To Nathaniel Stiles High Sheriff
of Cecill County.

Like Proclamation then issued to Samuel Boston High Sheriff of Baltemore County.

Like Proclamation then issued to Henry Stockett High Sheriff of Ann Arundell County

Like Proclamation then issued to Christopher Rousby High Sheriff of Calvert County

Know all men by these presents That I John Quigley of the Citty of S[t] Maries in the Province of Maryland merchant doe confesse & acknowledge my Selfe to Owe and stand

Lib. R. R. indebted unto the Hon^ble^ Charles Calvert Esq^r^ in the full and just summe or quantity of fifty thousand pounds of good sound merchantable tobacco in casque to conteine the same to be paid to the said Charles Calvert or to his certaine Attorny his heirs or assignes To the which payment well and truly to be made I bind my selfe my heirs executors and administrators in the whole firmly by these presents sealed with my Seale and dated this sixth day of June in the two and fortith yeare of the Dominion of Cecilius &c Annoq Dmi 1674.

The Condition of this present Obligation is such That whereas the said John Quigley hath undertaken to build a State house and prison at the Citty of S^t^ Maries upon the Land within the liberties of the said Citty according to the intent meaning & purport of an Act of Assembly made at a Sessions of Assembly held at the said Citty of S^t^ Maries upon the nineteenth day of May last past and there continued till the sixth day of June instant intituled An Act for the building a prison and State house at S^t^ Maries If therefore the said John Quigley shall well and truly build and finish the said Statehouse and prison according to the severall demensions & proportions in the said Act mentioned within the time the
p. 31 said Act limitted & appointed and shall further doe and performe all and every the matters and things clauses articles and directions in the said Act conteined which on his part are to be done and performed according to the true intent and meaning of the said Act without fraud or covin That then this present Obligation to be void and of none effect or else to stand in full force and virtue

Sealed & delivered in the p^r^sence of the Lower house of Assembly
Robert Ridgely Clerke of the Lower house of Assembly
Thomas Notley.

John Quigley [Sealed]

[Escheated Lands.]

Whereas I am given to understand that severall Plantations in Talbott County in Maryland are legally escheated to me I doe hereby authorize and require you to make Sale of as many of the said Plantations as you can and to passe pattents in my name and under my great seale of my Province of Maryland of the said lands to such as shall purchase them reserveing the usuall Rents now paid to me and my heirs for lands held in my Province of Maryland and dispose of what they shall be sold for to such uses as I have directed you in my letter dated the 26 day of this present November 1666

and for so doeing this shall be to you a Sufficient warrant Lib. R. R.
Given under my hand and lesser Seale at Armes the twenty sixth day of November 1666.

To my Lievtenant of Maryland for the time being. C. Baltemore

By the Cap^{t} Generall of Maryland.

fforasmuch as by a late Proclamation beareing date the sixth day of this instant June some Additions were made to severall Countys upon the division of that of Baltemore County and by the same proclamation it was then declared that Swan Point downe to Hell point on Chester River should be and remaine for the future belonging to that Easterne side of the Bay lately erected and called by the name of Cecill County upon further consideration hereof it is thought most necessary that so much of the Easterne side as was formerly added to Kent County doe still remaine and belong to the said County as afore notwithstanding that part of the said proclamation in wittnesse whereof I have hereunto sett my hand and caused the lesser seale of this Province to be hereunto affixed the 19th day of June in the 42th yeare of the Dominion of Cecilius &c Annoq Dmi 1674

To all whom these may Concerne.

April 18th 1674 p. 32

Comission then issued to Charles Bancks to be Clerke of Kent County dureing the Secretaryes pleasure or so long as he shall well demeane himself and not be convicted of any misdemeanour in the execution of his Office.

May 20th 1674

The like Comission then issued to Edward Savage to be Clerke of Dorchester County with like limitation.

June 30th 1674

The like Comission then issued to Thomas Vaughan to be Clerke of Talbott County with the like limitation.

July the 2^{d} 1674.

Comission for the Peace in Cecill County then issued to

Cap^{t} Thomas Howell
Augustine Herman
Henry Ward
} Gent of the Quorum

Lib. R. R. John Vanheck, Abraham Wild, Joseph Hopkins, William Tolson, John Gilbert } Gent justices

Ut est mutatis mutandis lib Consil H. H. fol 246.

July 2d 1764

Comission for the peace in Kent County then issued to

Thomas South, Joseph Weekes, James Ringould } Gent. of the Quorum.

John Hinson, Henry Hozier, Arthur Wright, John Wright, Tobias Wells, William Lawrence } Gent justices

Ut est mutatis mutandis lib Consil H: H: fol 246

On the back side of the abovesaid Comission, for Kent County was written thus.

I doe hereby Order that the place for holding your County Court be in some part of the easterne neck and not upon the Island as formerly Given under my hand the 2d day of July 1674

Charles Calvert

To Mr Thomas South and the rest of the Comissionrs for holding Courts in Kent.

July 18th 1674

Comission then issued to Edward Williams Clerke of Baltemore County to be Clerke of Cecill County with like limitation as other Clerkes vt Supra.

[Commission to Baker Brooke.]

Cecilius &c To all the Inhabitants and people of Our said Province Greeting in Our Lord God everlasting Know yee that Wee reposeing especiall trust and confidence in the fidelity integrity and circumspection of Our dearly beloved Nephew Baker Brooke Esqr Our Surveyour Generall of Our said Province of Maryland have assigned Ordained authorized and impowered as Wee doe hereby assigne Ordaine authorize and impower him the said Baker Brooke Once yearely and every yeare to call a Court of Enquiry and Survey in every respective County within this Our Province at such time and in such place in the said severall and respective Countyes as

he shall thinke fitt and the same to adjourne from time to time and to such place or places in each respective County as he shall find to be most convenient for the dispatch of Our Service and ease of the people within the severall and respective Countyes And to the end justice and right may be equally done in all cases within the cognizance of the said Court of Enquiry and Survey Wee doe hereby further authorize and impower the said Baker Brooke to constitute Clerkes and other ministers or officers of the said Court such and so many as he shall thinke fitt unto them to administer Oathes for the due execution of their Offices and by the said ministers or Officers to cause to be summoned to come before him at such Courts all parties that hold lands in the said Countyes as also jurors good and lawfull men of the same County by whom the truth of the matter may the better be Knowne and all persons able to give evidence and them respectively upon their Oathes to charge to enquire and give evidence that it may legally appeare what and how much lands they hold of us what rights and titles they have to the lands they hold of us within this Our province. By what patent from us or other meane conveyance and by what rents and Services and the presentments by such jurors to be made and all contempts of this Our Comission, to cause to be recorded by the Clerke of the said Court so to be constituted, and from thence into Our Provinciall Court to be transmitted that justice may to us and the people of this Our Province be done & all offences and contempts duly punished And Wee doe hereby Strictly charge and comand all justices of the peace, Sheriffs, Coroners Constables and other the Officers and all the good people of this Our province to be aiding and asisting to the said Baker Brooke in the execution of this Our Comission. Given at S^{t} Maries under the great seale of Our said Province of Maryland this third day of August in the 43th yeare of Our Dominion over this Province Annoq Dom One thousand six hundred seventy foure Wittnes Our deare son Charles Calvert Esq^{r} Our Cap^{t} Generall and cheife Governour of Our said Province of Maryland. Lib. R. R. P. 33

Charles Calvert

Att a Council held at the Citty of S^{t} Maries the fifth day of June Anno 1674 present

His Excellency the Cap^{t} Gen^{ll}
W^{m} Calvert Esq^{r} Principall Secretary
Thomas Truman
Thomas Taillor } Esq^{rs} Councello^{rs}
Jesse Wharton

Lib. R. R. Nathaniel Vty Esq^{r} was then admitted and Sworne One of his L^{opps} Council and justice of the Provinciall Court

Att a Council held at S^{t} Johns the 21th day of September in the 43th yeare of his L^{opps} Dominion &c Annoq Dom. 1674 present

His Excellency the Cap^{t} Gen^{ll}
Philip Calvert Esq^{r} Chancellour
W^{m} Calvert Esq^{r} Principall Secretary
Baker Brooke Esq^{r}

Then was laid the publique Levy for this yeare amounting to 251520^{l} tob with Salery for Collection. The tithables 6288. the Levy p poll 40^{l} tob.

Then Ordered that the Comissary Gen^{ll} for probate of Wills and granting administrations deliver up the bond of the executors of W^{m} Hattoft dec^{d} to his Lordshipps Attorny Gen^{ll} and that Robert Ridgely Officiate the Office of Attorny Gen^{ll} in his absence.

p. 34 Maryland Ss.

By his Excll^{cy} the Cap^{t} Generall and Cheife Governo^{r} of the same Province

fforasmuch as I am informed that litle or no Corne or Provision is likely to be Raysed or made this p^{r}sent yeare within this Province and that severall psons make itt their buisinesse to pcure and purchase Corne and Provision to export out of this Province which may probably happen to the detriment and great damage to the Inhabitants of this Province Bee it hereby Ordeined Proclaimed published & declared that no pson or psons whatsoever Doe export or cause to be exported out of this Province any Corne Beefe Porcke or other pvisions whatsoever without the Speciall leave or Lycence of the Cap^{t} Generall of this Province ffirst had and obteined as they will answer the Contrarie at their perill and that the Sheriffes of the Respective Counties make Proclamacōn hereof Given under my hand and the lesser Seale of this Province the 13th day of October in the 43th yeare of the dominion of Cecilius &c Annoq Dom 1674

[Denization of Mense Stykelkan.]

Cecilius absolute Lord & Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &^{c} To all psons to whom these p^{r}sents shall come Greeting in o^{r} Lord God Everlasting Whereas Mense Stykelkan borne in the

Netherlands under the Dominion of the States of the Seaven Provinces & a Subject of the Nation aforesaid having Transported himselfe into this Province here to Inhabit hath besought vs to Graunt him the said Mense Stykellkan leave here to Inhabit, & as a free denizon freedome land to him & his heyres to Purchase Know ye That we willing to give due Incouragm^{t} to the Subjects of that Nac$\bar{o}$n doe hereby declare him the said Mense Stykellkan to be a free denizon of this our Province of Maryland, And doe further for us our heyres & Successo^{rs} straitly Enjoyne Constitute Ordaine & Com̄and That the said Mense Stykellkan in all things be held treated reputed & Esteemed as one of the faithfull people of us our heyres & Successo^{rs} borne within this our said Province of Maryland And likewise & lands Tenem^{ts} Revenues Services & other hereditaments whatsoever within our said Province of Maryland may Inheritt or otherwise purchase, receive, take, have, hold, buy & possesse And that he may occupy & Enjoy, Give, Sell, Alien & bequeath As likewise all Libertyes ffranchises & Priviledges of this our Province of Maryland freely quietly & peaceably have & possesse Occupy & Enjoy as our faithfull people borne or to be borne within our said Province of Maryland without the lett molestac$\bar{o}$n Vexac$\bar{o}$n or grievance of us our heyres & Successo^{rs} Any Custome to the contrary hereof in any wise notwithstanding Given att o^{r} Citty of S^{t} Maryes under our great Seale of our said Province of Maryland this Eighth day of May in the 43th yeare of our Dominion over our said Province Annoq dm. 1675 Wittnes our deare Sonn Charles Calvert Esq^{r} our Leivten^{t} Gen^{ll} & Chiefe Governo^{r} of our said Province of Maryland

Lib. R. R.

P. 35

Charles Calvert.

C: Baltemore

Cecilius absolute Lord & Proprietary of the Provinces of Maryland and Avalon Lord Baltemore &c To our deare Sonn Charles Calvert Esq^{r} our Lievetenant of Maryland Greeting Whereas our Trusty & welbeloved Nephew Baker Brooke Esq^{r} our Surveyo^{r} Gen^{ll} of our said Province of Maryland hath Informed us that in regard all Com̄issions of Survey within our said Province to his deputies are derived from him And that if in case he should happen to have any land Surveyed for his owne use by any of his deputies he is doubtfull such Survey might in after tymes prove invalid & be lyable & Subject to Controversies & disputes ffor the p^{r}vention whereof he hath humbly Requested us to Authorize every one of his deputyes (by our Com̄ission under our great Seale of our said Province of Maryland) to Survey such lands as of right ought & shall from tyme to tyme be Surveyed & Graunted to him

Lib. R. R. Wherefore we doe (out of our owne particular favour to the said Baker Brooke) hereby Authorize & Require you in our name from tyme to tyme & att all tymes when you shall thinke fitt & finde itt Convenient to Impower Constitute Ordeyne & Appoint by Comission under our great Seale of our said Province of Maryland such person or persons as you shall thinke fitt to Survey any parcell or quantity of land which shall hereafter happen to be of Right Surveyed & taken upp in our said Province for the said Baker Brooke And soe as such person or persons to be Impowered & Authorized as aforesaid doe from tyme to tyme before he or they shall Survey any land by vertue of the said Power to be given him or them first Acquaint you or our Lievtenant there for the tyme being with the nature & quantity of the land which he or they shall intend soe to Survey And make itt appeare that such a Proporcon of land ought of Right to be Surveyed for him Provided that this our warrant & all Comissions to be Graunted by vertue hereof shall be in force dureing our pleasure & noe longer Given under our hand & greater Seale att Armes this Seaventh day of Decembr in the three & fortieth yeare of our Dominion over the said Province of Maryland Annoq Dmi One Thousand six hundred & Seaventy foure.

By his Lordps Comand George Peirson Sec.

August the 16th 1675

Comission then issued to Thomas Long of Baltemore County Gent to be Coroner of and in the Lower Parts of the same County.

p. 36 Att a Council held at St Maries the 13th of October in the 43th yeare of his Lopps Dominion &c Annoq Dom 1674

Present

The Honble { Charles Calvert Esqr Governour & Cheife Justice; Philip Calvert Esqr Chancellour; Wm Calvert Esqr Secretary; Baker Brooke, Jesse Wharton } Esqrs

Then was read Coll Vties letter of the 28th of September last to the Governour concerning the Indians.

Ordered the Assembly be called together to meet the second tuesday in ffebruary next & new writts for the Delegates issue in Baltemore & Cecil Countyes.

That no Corne or provision whatsoever be exported the Province without Speciall lycence from the Governour. Vide proclamacon fol 34.

July 10th 1675 Lib. R. R.

Comiss° then issued to Edward Williams to be Clerke of Cecil County.

Comiss° then issued to Capt John Carr to be Sheriff of Cecil County.

At a Council held at the Citty of St Maries the third day of September in the 44th yeare of his Lopps Dominion &c Annoq Dom 1675. Present

The Hon^ble { Charles Calvert Esq^r Leivtent Gen^ll & Cheife Gov^r
Philip Calvert Esq^r Chancellour
Wm Calvert Esq^r Secretary
Thomas Truman Esq^r

The Insurrection of the Indians and the murthers Committed by them at the head of Ann Arrundell County was then taken into debate and Ordered that Collonel Samuel Chew and Major Wm Burges doe imediately raise the forces under their Comand to follow and pursue the enemyes.

And that the same Order be sent to Coll Vtie to raise the fforces under his Comand and if there shall be Occasion in the Other Countyes that the like Order issue to the Comanders there as the Governour shall thinke fitt

That there be two hundred men raised in St Maries and Charles County provided with sufficient horse and armes both for horse and foot service, in a readynesse of the arrivall of the Virginia Army and that power be sent up to the Offices to presse provisions for them.

Then came John Quigley Gent and made a motion to the board on the behalfe of Capt Daniel Jenifer That whereas Thomas Hedge of Ann Arundell County last May Court obtained judgment against Daniel Jenifer for Seven thousand three hundred pounds of tobacco with costs of suite but so as execution thereof was to cease untill the tenth day of November next yet notwithstanding the said Thomas Hedge hath procured his Lopps writ of ne exeat provin out of Chancery against the said Jenifer.

Whereupon Ordered that the said writ of ne exeat provin be wholly Superseded and that the said Thomas Hedge take no advantage thereby.

Then was the Provinciall Court to be holden the 26th of October next Ordered to be adjourned untill the third tuesday in November next

Att a Councell held at Richard Keenes in Petuxent the 14th day of September in the 44th yeare of his Lopps Dominion &c Annoq Dom. 1675.

Lib. R. R.

Present

The Hon^ble { Charles Calvert Esq^r Leivtenn^t Gen^ll Cheife Governour &c
Philip Calvert Esq^r Chancellour
W^m Calvert Esq^r Secretary
Baker Brooke, Thomas Truman } Esq^rs

p. 37 Then was the letter from Collonel John Washington and Major Isaac Alderton to the Governour beareing date the 6^th of September instant read and debated upon the tenor whereof followeth in these words Viz.

Right Hon^ble:

Yesterday being Sunday the 5^th of this instant Wee received Order from the R^t Hon^ble the Governour and Council to us directed for the Summoning the Militia of the Severall Countyes of the north side of Rappahanock and the South side of Potomack that inquisition may be made of the true causes of the severall murthers and Spoiles that have bin done by the Indians in this his Ma^ties Collony of Virginia and by what nation or nations they have bin perpetrated and demand Satisfaction and in case they Correspond not with Our reasonable demand to levy such fforces as may compell them by armes to that which is right, Wee are also Comanded to Certifie Our designe to your Hon^r & to request your asistance of men well Victualled and armed and to Signifie Our purposes to follow the Enemy in yo^r Province of Maryland in case the Emergency of affaires require it. To that end Wee may have your Hon^rs permitt to doe Wee have therefore requested Major Richard Lee and Cap^t Thomas Youell to address themselves to your Hon^r and to acquaint you with the premisses and to request your asistance and if you se it necessary to send a Gent or two over to meet us and the militia of the severall Countyes aforesaid at Coll Washingtons on ffryday next to consult of the manner of proceeding of this affaire and to advise us by letter what number of men you will be pleased to Order to Our asistance

Yo^r Hon^rs most humble Serv^ts

Sept. 6^th 1675. John Washington
Isaac Allerton

Whereupon it is Ordered That a Regiment of horse consisting of five troopes fifty men in a Troope be forthwith raised and fitted with Sufficient horses armes and ammunition for the expeditious march against the Barbarous Enemy and to assist the Virginia fforces now prepareing to pursue their Enemyes the Susquehanough Indians as to demanding delivery those

Indians which lately committed the murthers On his Majestyes Subjects in Virginia And further Ordered that the said Indians be forthwith forced off from the place they now are and remove themselves to the place they assured the last Assembly they would goe and seate themselves Lib. R. R.

Then was M^r^ Thomas Dent dispatched away to Colonell Washington & Major Allerton with this ensueing Letter.

Gent

According to the promise made to Major Lee and Cap^t^ Youell wee have this day taken your letter into consideration and for answer returne you That wee have Ordered two hundred and fifty horse and Dragoons to Randevouze upon Thursday which will be the three and twentith instant at the head of Choptico Bay from whence they shall continue their march to the north side of the mouth of Pascattaway Creeke where they shall attend your Arrivall and joyne with you where their Comander will advize with you upon the wayes and meanes to prosecute the Warr against the Doages and Susquehanough Indians till the murthers are delivered and all possible Satisfaction Obtained from them for damages done to his Ma^ties^ Subjects Which is all at p^r^sent (as we conceive) expected from Yo^r^ Humble Servants. p. 38

Then was Major Thomas Truman Ordered and appointed to be Comander in this expedition, over the said fforces to be raised as aforesaid.

Upon the Complaint of John Newton Mariner that One John Morris hath Offered and done him Severall abuses, Ordered that the said John Morris find suerty for the Peace and appearance at the next Provinciall Court, to answer the Complaint of the said Newton.

Then came the said John Morris & assumed upon himselfe upon paine of ten pounds Sterling and John Quigley Gent. then & there likewise came and did undertake for the said John Morris to say upon paine of five pounds Sterl that the said John Morris should personally appeare before his Lopps justices of the next Provinciall Court to be holden at the Citty of S^t^ Maries the 16^th^ day of November next to doe and receive what shall by the Court then & there to him be enjoyned, and that he in the meane time keepe the Peace towards his L^opp^ and all the good people of this Province and especially towards the said John Newton. And that he shall not doe or procure or cause to be done any damage or Corporall hurt to the said John Newton or any the people of this Province or the disturbance of the peace of his L^opp^ the Lord Proprietary. Which said summe of tenn pounds Sterl the

Lib. R. R. said John Morris and the said summe of five pounds sterl the said suerty did acknowledge to owe to his said L^ord^ of their respective lands & Tenements Goods & Chattells to the use of his said Lo^rd^ & his Successors to be made & levyed if the said John Morris shall infring or breake any of the p^r^misses.

Ordered That the Council meet here at Richard Keenes upon Monday the Seven and twentith of this instant month of September.

Die Jovis 23° Septembris 1675

Ordered by the Governour and Councell that the Inhabitants of the Westerne and Northerne Branches of Petuxent River and the weake Plantations next adjoyneing to them be imediately drawne together to some place there which shall be thought most Safe for them to inhabite in.

Att a Council held at Mattapenny-Sewall the thirtenth day of October in the 44^th^ yeare of the Dominion of Cecilius &c Annoq Dom. 1675

Present

The Hon^ble^
- Charles Calvert Esq^r^ Cheife Governour &^c^
- Philip Calvert Esq^r^ Chancellour
- W^m^ Calvert Esq^r^ Principall Secretary
- Baker Brooke Esq^r^

Then was taken into Consideration the Publique Charge of this province the Tithables being 6610 persons the publique charge with Salery for Collection (367219^l^ of tobacco being ord^rd^ to be collected this Levy towards defraying Charges & pay to the Soldiers this present expedition against the Susquehanough Enemy) at 80^l^ tob ꝑ poll amount unto the summe of five hundred twenty eight thousand eight hundred pounds of tobacco and Ord^r^ to be collected & paid as follow

	l tob.
To the Governour allowed towards his expences at S^t^ Johns	30000
To Clement Hill	3940
To Henry Ward for losse of his horse	1800
To the Guardians of Bayleys Orphants	1800
To Thomas Cosden for quartering men	2000
To Peter Burges for goeing to the Clifts	200
To Thomas Gant for quartering men	980
To Thomas Vaughan for his boate prest	45
To Rob^t^ Carvile for Jacob Duccatt & Richard White	90
To Thomas Morris	45
To Roger Woolford for Colebornes noate	1275

To James ffrisby		60 Lib. R. R.
To W[m] Berry allowed upon his noate		841
To Joseph Edloe for conveying letters		250
To Robert Carvile for Thomas Philips		760
To the Governo[r] for Charles Delaroch		8000
To Jacob Lesley for ditto Delaroch		16857
To Jn[o] Quigley for Garrett Vansweringen		29354
To Robert Ridgely Clke of the Lower house		3000
To Richard Boughton Clke of the Upper house		3000
To Rob[t] Ridgely for Peter Eure		1200
To ditto for Jn[o] Luellin		1000
To ditto for Mathias Wood		600
To Thomas Wyn		400
To Jn[o] Creycroft		400
publiq Charge by Act		107897
To M[r] Thomas Notley Spent at Vansweringers allowed		3000
To Mathias Wood for Salery		2000
To Richard Keene for expences of the Councell		742
To ditto for a Gunn lost		350
To Tobacco to be collected and Kept by the Sheriffs untill further Order of Councell		367219
To the Sheriffs for Collection		47592
		528800

Tithables.	In S[t] Maries County	924	at 80[l] tob ꝑ poll.	73920 p. 40
	In Kent County	300		24000
	In Ann Arundell Co	816		65280
	In Calvert	1091		87280
	In Charles	785		62800
	In Talbott	1018		81440
	In Baltemore	319		25520
	In Dorchester	355		28400
	In Somersett	603		48240
	In Cecil	399		31920
		6610		528800

The Publique Levy devided into the respective Countyes

S[t] Maries County D[r]	1 tob.
To the Levy of 924 Tithables at 80[l] tob ꝑ poll.	73920
Cred[r]	
By Salery to the Sheriff for Collection	06653
By Clement Hill	03940
By Robert Carvile	0.850
By Rob[t] Ridgely	03000
By ditto for Peter Eure	01200
By ditto for John Luellin	01000

Lib. R. R.	By Thomas Wynn	0.400
	By Rob[t] Ridgely for Mathias Wood	0.600
	By Joseph Edloe	00250
	By the Governour for Delaroch	08000
	By the Governour	10000
	By tobacco to be kept by the Sheriff untill further Order of his L[opps] Councell	38027
		73920
	Kent County Dr	l tob.
	To the Levy of three hundred tithables at 80[l] tob p poll	24000
	Cred[r]	l tob.
	By Salery for Collection	2160
	By tobacco to be kept by the Sheriff untill further Ord[r] of Councell.	21840
		24000
	Ann Arundell County Dr	l tob.
	To the Levy of 816 tithables at 80[l] tob p poll	65280
	Cred[r]	l tob
	By Salery for Collection	5876
	By Richard Boughton	3000
	By the Governour	10000
	By tobacco to be kept till further Ord[r] from his Lo[pps] Councell.	46404
		65280
p. 41	Calvert County Dr	l tob.
	To the Levy of 1091 Tithables at 80[l] tob p poll	87280
	Cred[r]	l tob.
	By Salery for Collection	7856
	By the Governour	10000
	By Thomas Cosden	2000
	By Peter Burges	200
	By Thomas Gant	980
	By W[m] Berry	841
	By Jn[o] Creycroft	400
	By Richard Keene	1092
	By tob to be kept by the Sheriff till further Ord[r] of Councell	63911
		87280
	Charles County Dr	l tob
	To the Levy of 785 Tithables at 80[l] tob p poll	62800

Cred^r

	Lib. R. R.
By Salery for Collection	5652
By Jn° Quigley for Garret Vansweringen	29354
By M^r Thomas Notley	3000
By Mathias Wood	2000
By tob to be kept by the Sheriff till further ord^r of Councell	22794
	62800

Talbott County D^r

To the Levy of 1018 tithables at 80^l tob p poll	1 tob 81440
Cred^r	1 tob.
By Salery for Collection	7330
By Thomas Vaughan	45
By Thomas Morris	45
By tob to be kept by the Sheriff till further Order of the Councell	74020
	81440

Baltemore County D^r

To the Levy of 319 Tithables at 80^l tob p poll	1 tob 25520
Cred^r	1 tob
By Salery for Collection	2297
By Henry Ward	1800
By the Guardians of Bayley's Orphants	1800
By James ffrisby	60
By tob to be kept by the Sheriff till further Order of the Councell	19563
	25520

Dorchester County D^r

To the Levy of 355 tithables at 80^l tob p poll	1 tob. p. 42 28400
Cred^r	1 tob.
By Salery for Collection	2556
By Jacob Lesley for Delaroch	16857
By tob to be kept by the Sheriff till further Order of Councell	8987
	28400

Somersett County D^r

To the Levy of 603 tithables at 80^l tob p poll	1 tob 48240
Cred^r	
By Salery for Collection	4342
By Roger Woolford	1275

Lib. R. R. By tobacco to be kept by the Sheriff till further Order of the Councell		42623
		48240
Cecil County	D^r^	1 tob
To the Levy of 399 Tithables at 80^l^ tob p poll		31920
	Cred^r^	
By Salery for Collection		2873
By tobacco to be kept untill further ord^r^ from the Councell		29047
		31920

Eodem die. Then Ordered that the County Courts be called to lay their County Levy Whereupon it was Comanded each respective Sheriff that imediately after Receipt of the publiq Levy he sumon together foure or more of the justices of the Peace of his County (whereof One to be of the Quorum) to sitt as a Court to lay the County Levy.

Eodem die Then also was Proclamation by the Governour & Councell Ordered to be sent to the Severall Sheriffs against exportation of Corne beefe, porke or other provisions whatsoever without Licence from the Governour first had & obtained. Vide proclamacon fol 34.

Eodem die. Then Ordered that Richard Keene keepe the fferry for horse and foot Over Petuxent River from his now dwelling house to his plantation on the other side and from thence to his dwelling house aforesaid and that the Licence heretofore granted to George Beckwith to keepe the fferry Over the said River be and is hereby utterly void & invalid.

p. 43 Octob^r^ the 13^th^ 1675

An ordinance of the Hon^ble^ Charles Calvert Esq^r^ Liev^t^ Gen^ll^ & Chiefe Governo^r^ of the Province of Maryland & the Hon^ble^ Councell sett forth & published for the settling & Establishing of a ferry to be constantly kept over Petuxent River in Calvert County.

Whereas many Inconveniencyes have & doe daily happen to divers the Inhabitants of this Province that have occasion to travel either on horseback or on foot over Petuxent River about their lawfull occasions And for that severall Assemblies have Endeavoured to make a Law for the same, but could not pitch upon a person that would willingly undertake the same

that lived conveniently to performe itt And whereas we did the Lib. R. R.
first day of March 1672 by our ordinance under the great
Seale of this Province authorize & Impower George Beckwith
of the said County or his Assignes to keepe fferry Boats for
the Transportacõn of men & horse either from Point Patience
over the River of Petuxent to his owne house or from his
owne house over the said River to Point Patience Provided
the said Beckwith should keep a sufficient Boat & man or
men for the doeing & performing the same wind & weather
ꝑmitting And should not pʳsume to Exact or demand more of
any person then by the same Ordinance was Allowed And also
Provided that he tooke speciall care to Examine Persons that
he knew not of his certaine knowledge to be ffreemen And
that Runaway Servants might not be helped forwards by
reason of the said fferry Boat And forasmuch as severall
Complaints have been made unto us by severall the Inhabi-
tants of this Province That the said George Beckwith hath not
Observed performed fullfilled & kept the Articles Clauses &
Provisoes in the said ordinance mencõned & Expressed which
on his part were to be Observed fullfilled & kept according to
the true intent & meaning thereof We doe Vacate & make
void the said Lycence & Power to the said George Beckwith
so Graunted unto him as aforesaid And doe by these pʳsents
Authorize & Impower Richard Keen or his Assignes to keep
fferry Boats for to Transport men & horse from his now
dwelling house over the said River of Petuxent to his Planta-
cõn on the other side or from thence to his dwelling house
aforesaid And to also demand Receive & take for every
person he shall Transport either backwards or forwards over
the said River the Sume of one shilling And also to Aske
demand receive & take for every horse he shall Transport as
aforesaid the like sume Sume of One shilling or the value p. 44
thereof To have hold & Enjoy the sole priviledge benefitt &
Advantage of keeping the said fferry for Transporting persons
& horses over the said River as aforesaid during his naturall
life provided allwayes that the said Richard Keen shall keep
a sufficient Boat or Boats man or men for the doeing & per-
forming the same (wind & weather ꝑmitting) And shall not
att any tyme pʳsume to Exact or demand more of any person
then is hereby allowed him for the same upon paine of forfeit-
ing the Lycence Liberty & Priviledge hereby Granted him Itt
being made appeare to his Lordᵖᵖˢ Justices of the Provincˡˡ Court
And also Provided that the said Richard Keen or his Assignes
take speciall care to Examine Persons that they know not of
their owne certaine knowledge to be ffreemen that so Runa-
way Servants may not be helped forwards by reason of the
fferry Boat aforesaid And we doe hereby Ordʳ Comand &

Lib. R. R. Enjoyne all persons whatsoever for private gaine or otherwise to forbeare to keep any fferry Boat or Boats for Transporting other men or horses over the said River of Petuxent or any part thereof att their pill Given under the great Seale of the said Province of Maryland the third day of Novemb^{r} in the 44th yeare of the Dominion of Cecilius &c Annoq Dmi 1675.

Att a Council held att Mattapenny Sewall the third day of Novemb^{r} in the 44th yeare of the Dominion of Cecilius &c. Annoq Dmi 1675

Present

The Hon^{ble} { Charles Calvert Esq^{r} Chiefe Governo^{r} &c
Philipp Calvert Esq^{r} Chancello^{r}
W^{m} Calvert Esq^{r} Princ^{ll} Secretary
Jesse Wharton Esq^{r} }

Ordered that Proclamac$\bar{o}$n be forthwith made by the severall Sheriffes of each respective County That all persons that have been att any Charge & Expences for Provision Amunition or otherwise about the late Expedic$\bar{o}$n ag^{t} the Susquahanough Indians come to the next Provinc^{ll} Court or deliver their severall Accompts thereof to the respective Sheriffes of each County who are to have the same ready to deliver to the Governo^{r} & Council att the next Provinciall Court And that Richard Robinson Com$\bar{a}$nd^{r} of the good Shipp the John of Hull have notice given him by the High Sheriffe of Charles County that he be & appeare att the next Provinciall Court to deliver in his Acc^{t} to the Governo^{r} & Council of his Expence & Charges about the said Expedic$\bar{o}$n.

p. 45 Then Ordered that there be a party of Thirty men raised, fifteene out of S^{t} Maryes County & fifteene out of Charles County, to march under the Com$\bar{a}$nd of Cap^{t} John Douglas, & Cap^{t} Gerard Sly, to Range the woods about Pascattoway & the Susquahanough ffort, to take upp all such horses as they shall finde that were lost by the Souldiers in the late Expedic$\bar{o}$n ag^{t} the Susquahanough Indians, whereof Jo^{n} Burrows, Joseph Horton, Vincent Mansfield, Richard Brightwell, Mannah Hawton the Indian & James Smallwood are to be part.

Then Ordered that the Com$\bar{i}$ssion^{rs} of Calvert County doe adjourne their next County Court till some convenient tyme after the next Provinciall Court which is to be holden the sixteenth of this instant Novemb^{r} that the Persons concerned in busines att both Courts may give their due Attendance att the Provinciall Court.

By the Governo^{r} & Councell the third day of Novemb^{r} in the 44th yeare of the Dominion of Cecilius &c. Annoq Dmi 1675 Lib. R. R.

Forasmuch as divers Charges have arose for the necessary defence & safety of the Inhabitants of this Province in the late Expedicōn ag^{t} the Susquehanough Indians And that such Charges that have so accrued may be defrayed & duly paid & a true & just accompt thereof knowne that an Allowance may be made. The Sheriffes of each respective County are Ordered to make publiq Proclamacōn throughout their respective Countyes That all persons that have been att any Charge & Expences for Provision Amunicōn or otherwise about the said late Expedicōn in managing the warr ag^{t} the Susquehanough Indians be & appeare att the nex^{t} Provinc^{ll} Court to be holden att the Citty of S^{t} Maryes the 16th day of this instant Novemb^{r} or deliver their several Accompts thereof to the Sheriffes of each respective County that they may have the same ready to deliver in to the Governo^{r} & Councell att the said Court Given &^{c}

To M^{r} Clement Hill High Sheriffe
of S^{t} Maryes County.

Like Proclamacōn then Issued to Henry Stockett High Sheriffe of Ann Arundell County.

Like Proclamacōn then Issued to Henry Darnall High Sheriffe of Calvert County.

Like Proclamacōn then Issued to Benjamin Rozer High Sheriffe of Charles County

Att a Councell held at S^{t} Maries the twentith day of Novem- p. 46
ber in the 44th yeare of the Dominion of Cecilius &c Annoq Dom 1675

Present

The Hon^{ble}
- Philip Calvert Esq^{r} Chancellour
- W^{m} Calvert Esq^{r} Secretary
- Baker Brooke Esq^{r}
- Thomas Truman Esq^{r}
- Coll Jesse Wharton

The Councill takeing into Consideration the merits of the King of Mattawoman viz. that he came first in to Major Truman Voluntaryly and offered all his men to Serve us against the Susquehanoughs and his women and Children for Hostages and for that he continued all the time of the Warr with the English and in the pursuite of the Enemy Doe humbly desire the Governours Concurrence to an Order that the said King of Mattawoman may be presented with twelve

Lib. R. R. Matchcoates as a marke of Our Gratitude and that he have the value of One hundred Armes length of Roanoke viz. foure matchcoates for every prisoner of the Susquehanoughs they have taken and delivered the said Matchcoates to be paid to the Indians that tooke the said prison[rs]

And for what concernes the Pascattoway Indians they likewise humbly desire that the said Indians may have foure matchcoates delivered them for every prisoner they have delivered to be paid to the Indians that tooke them

Next Whereas the said King of Mattawoman desires to infort himselfe for the security of himselfe and people against the Susquehanoughs who are now his Enemyes Only because he hath espoused our quarrell against them The Councell doe request that it may be ordered that he have the liberty to infort himselfe with his people upon any place the Governour shall thinke fitt and that his signing of this request shall make this an Order of the Governour and Councell.

Att a Councell held at S[t] Maries the 24[th] of November in the 44[th] yeare of the Dominion of Cecilius &c. Annoq Dom. 1675.

Present

The Hon[ble]
- Philip Calvert Esq[r] Chancellour
- W[m] Calvert Esq[r] Secry
- Baker Brooke Esq[r]
- Thomas Truman Esq[r]
- Jesse Wharton Esq[r]

The Councell doe humbly desire the Governours concurrence to an Order That twenty men and horse be kept Out ranging between Petapsco and Potomack untill the Governours Order to the Contrary And that the Comander that shall be appointed by the Governour have power to presse horses armes ammunition and provision where ever he come.

Charles Calvert

p. 47 Att a Councell held at Mattapeny Sewall upon Saturday the 27[th] day of November in the 44[th] yeare of the Dominion of Cecilius &c Annoq Dom. 1675.

Present

The Hon[ble]
- Charles Calvert Esq[r] Leivtenn[t] Gen[ll] Cheife Gov[r]
- Philip Calvert Esq[r] Chancellour
- W[m] Calvert Esq[r] Secretary
- Baker Brooke, Thomas Truman, Jesse Wharton — Esq[r]

The Governour and Councell haveing taken into considera- Lib. R. R.
tion that the disbursem^ts^ for provisions and other charges relateing to the late Indian Warr with the Susquehanoughs Indian & that the same may be levyed this yeare & haveing seen severall papers and accompts thereunto relateing but not the whole accompt of Charges & disbursments doe appoint to meet againe on Munday next.

Monday the 29th 1675

Present

The Hon^ble^ { Charles Calvert Esq^r^ Leivtenn^t^ Gen^ll^ Cheife Governo^r^ / Philip Calvert Esq^r^ Chancellour / W^m^ Calvert Esq^r^ Secry / Jesse Wharton Esq^r^

The Governour and Councell have thought fitt that Comissioners be appointed to call before them all such persons whether Officers Soldiers or people that pressed or spared provisions or any thing else for the Indian Warr and to state the Accompts of the Soldiers as to their tyme & pay certainly And for all those that have any other demands for provisions &c to state the accompt in certainty and to allow all reasonable demands and for such as are unreasonable to regulate them according to good Conscience and the whole so stated and every particular mans accompt to certifie downe to the Governour & Councell with all convenient Speed.

ffor S^t^ Maries County { The Chancellour / The Secretary / M^r^ Thomas Dent } or any two of them and that the Sheriff be then p^r^sent

ffor Ann Arundell { Coll Samuel Chew / Majo^r^ W^m^ Burges / Cap^t^ Rich^d^ Hill } Or any two of them & th^t^ the Sheriff be then p^r^sent

ffor Calvert County { The Governour / Major Truman / Richard Hall } Or any two of them & th^t^ the Sheriff be then p^r^sent

ffor Charles County { Coll Wharton / Cap^t^ Jn^o^ Douglas / Mr Henry Adams } Or any two of them & th^t^ the Sheriff be then p^r^sent

Ordered that 85^l^ tob ꝑ poll be leavyed upon the severall & respective tithables of this province and be added to the former Levy so that the publiq Levy this yeare is 165^l^ tob ꝑ poll.

Nov^r^ 29^th^ The Publique Levy divided into the Severall p. 48
Countyes.

Lib. R. R.

S[t] Maries County D[r]	l tob.
To the Levy of 924 Tithables at 165[l] tob. p poll	152460
Credit[r]	l tob.
By Salery to the Sheriff for Collection	013722
By Clement Hill	003940
By Rob[t] Carvile	000850
By Rob[t] Ridgely	003000
By ditto for Peter Eure	001200
By ditto for John Luellin	001000
By Thomas Wynn	000400
By Rob[t] Ridgely for Mathias Woods	000600
By Joseph Edloe	000250
By the Governour for Delaroch	008000
By the Governour	010000
By tob to be disposed of by the Governour & Councill	109498
	152460

Kent County D[r]	l tob.
To the Levy of 300 Tithables at 165[l] tob p poll	049500
Cred[r]	l tob.
By Salery for Collection	004455
By tobacco to be disposed of by the Govern[or] and Councell	045045
	49500

Ann Arundell County D[r]	l tob
To the Levy of 816 Tithables at 165[l] tob p poll	134640
Cred[r]	l tob.
By Salery for Collection	012118
By Richard Broughton	003000
By the Governour	010000
By tob to be disposed off by the Governour & Councell	109522
	134640

Calvert County D[r]	l tob.
To the Levy of 1091 Tithables at 165[l] tob p poll	180015
Cred[r]	l tob.
By Salery for Collection	016201
By the Governour	010000
By Thomas Cosden	002000
By Peter Burges	000200
By Thomas Gant	000980
By W[m] Bery	000841
By Jn[o] Creycroft	000400
By Richard Keene	001092
By tob to be disposed off by the Governour and Councell	148301
	180015

Charles County D[r]	l tob. Lib. R. R.
To the Levy of 785 Tithables at 165[l] tob p poll	129525 P. 49
Cred[r]	l tob.
By Salery for Collection	011657
By Cap[t] Quigley for Vansweringen	029354
By M[r] Thomas Notley	003000
By Mathias Wood	002000
By tob to be disposed of by the Governo[r] & Councell.	083514
	129525
Talbott County D[r]	l tob.
To the Levy of 1018 Tithables at 165[l] tob p Poll.	167970
Cred[r]	l tob
By Salery for Collection	015118
By Thomas Vaughan	000045
By Thomas Morris	000045
By tob to be kept & disposed of by the Gov. & Councell.	152762
	167970
Baltemore County D[r]	l tob.
To the Levy of 319 Tithables at 165[l] tob p poll.	052635
Cred[r]	l tob.
By Salery for Collection	004737
By Henry Ward	001800
By the Guardians of Bayly's Orphants	001800
By James ffrisby	000060
By tob to be disposed off by the Governo[r] & Councell.	044238
	052635
Dorchester County D[r]	
To the Levy of 355 tithables at 165[l] tob p poll.	058575
Cred[r]	l tob.
By Salery for Collection	005272
By Jacob Lesley for Charles Delaroch	016857
By tob to be disposed off by the Govrno[r] & Councell.	036446
	058575
Somersett County D[r]	l tob.
To the Levy of 603 tithables at 165[l] tob p poll.	099495
Cred[r]	
By Salery for Collection	008955
By tobacco to be disposed by the Gov[r] & Councell	089265
By Roger Woolford	001275
	099495
Cecil County D[r]	
To the Levy of 399 tithables at 165[l] tob p poll	065835

Lib. R. R.

Cred^{r}

By Salery for Collection	005925
By tob to be disposed of by the Gov^{r}no^{r} & Councell	059910
	065835

p. 50 Eodem die Whereas it hath beene doubted by the Severall Sheriffs what tobacco may be distrained on by them for his Lo^{pps} Rents and the publique Levyes The Governour and Councell doe declare That all the publiq Levyes are debts due to his Lo^{pp} the R^{t} Hon^{ble} the Lord Prop^{ry} for defraying the publique Charge and therefore by the Law of the Province to be paid upon the place before all other debts due to any private ꝑson whatsoever as his L^{opps} Rents are and that for that reason the severall and respective Sheriffs ought and are hereby impowered to Levy all the said Rents and publick dues by distresse upon any tobacco being and remaining upon any plantation within their Severall and respective Bailiwicks though marked or p^{r}tended to be marked by any other person for his private debt whatsoever.

PROCEEDINGS

OF THE

COUNCIL OF MARYLAND.

CHARLES CALVERT, LORD BALTIMORE,

Proprietary.

HIS LORDSHIP IN PERSON.

1675–1676.

[Proclamation of the accession of Charles, Lord Baltimore.] Lib. R. R.

By the Right Hon^ble^ Charles Lord Baron of Baltemore Lord and Proprietary of the Province of Maryland

Ch. Baltemore. fforasmuch as certaine advice and information is lately given Out of England that the Right Hon^ble^ Cecilius Lord Baron of Baltemore Lord and Proprietary of the Provinces of Maryland and Avalon departed this life the thirtith of November last past By whose death the interest in right to this Province of Maryland and Goverment thereof doth undoubtedly devolve upon his Only Sonn and heire the Right Hon^ble^ Charles Calvert Esq^r^ late Governour and now Lord Baron of Baltemore Lord and Proprietary of the same. And fforasmuch likewise by the death of the said Proprietary all Comissions of what nature or kind soever as also all writts precepts & processe at Law formerly granted in his name doe imediately cease and the late Goverment under him wholly determined To the end therefore that all due Obedience be yeilded and paid unto the Right Hon^ble^ Charles Calvert now Lord Baron of Baltemore as Lord & Prop^ry^ of Maryland and that all such Comissions writts precepts and processe at Lawe as aforesaid may not become utterly void and remaine unexecuted It is hereby Ordered that all Sheriffs of the severall & respective Countyes of this Province of Maryland upon sight hereof cause publique Proclamation to be made in their respective Countyes That the said Charles Calvert now Lord Baron of Baltemore is the true and absolute Lord & Proprietary of this province of Maryland And that it is Our will and pleasure that all Comissions writts precepts and processe at Law as aforesaid be and are hereby continued in the same former force and authority as in them was expressed and intended And that all Officers both Civil & Military as also all other the good people of this province hereby are required to take notice and that all due Obedience be given hereunto Given at Mattapeny this fourth day of March Anno Domini $167\frac{5}{6}$

The like Proclamation issued under his Lo^pps^ hand & the great Seale of this province to the severall & respective Sheriffs within this province

[Commission to Justices.]

Charles Absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baltemore &^c^ To Thomas Dent, p. 51

Lib. R. R. John Jordaine, W^m^ Boarman, Gerard Slye, Richard Loyd, John Warren, W^m^ Rossewell, W^m^ Hatton, Justinian Gerard, Tho: Gerard, Joseph Pile, & Joshua Doyne gentl Greeting Know ye that we for the great Trust & Confidence we have in yo^r^ fidelityes Circumspecc̄ons Prudences & Wisdomes have Constituted Ordeyned & Appointed & doe by these p^r^sents Constitute Ordeyne & Appoint you the said Tho: Dent, John Jordaine, W^m^ Boarman, Gerard Slye, Richard Loyd, John Warren, W^m^ Rossewell, W^m^ Hatton, Justinian Gerard, Thomas Gerard, Joseph Pile & Joshua Doyne gentl. Com̄ission^rs^ joyntly & severally to keepe the Peace in S^t^ Maryes County And to keep & cause to be kept all Lawes & orders made for the good & Conservac̄on of the Peace, & for the quiet rule & Governm^t^ of the People in all & every the Articles of the same And to Chastise & punish all Persons Offending against the forme of any the Lawes & Orders of our said Province or of any of them in S^t^ Maryes County aforesaid as according to the forme of these Lawes & Orders shall be fitt to be done We have also Constituted & Ordeyned you & every foure or more of you of which you the said Tho: Dent, John Jordaine, W^m^ Boarman & Gerard Slye (unlesse some one of Councell be p^r^sent) are also to be our Com̄ission^rs^ to Enquire by the Oaths of good & lawfull men of yo^r^ County aforesaid of all manner of felonyes Witchcrafts Inchantm^ts^ Sorceryes Magic Arts, Trespasses Forestallings Ingrossings & Extorc̄ons whatsoever And of all & singuler other misdeeds & Offences of which Justices of the Peace in England may or ought lawfully to Enquire by whomsoever or whensoever done or ꝑpetrated or which hereafter shall happen to be done or ꝑpetrated in the County aforesaid against the Lawes & Ord^rs^ of our said Province. Provided you proceed not in any of the cases aforesaid to take life or member But that in every such Case you send the Prison^rs^ with their Indictm^t^ & the whole matter depending before you to the next Provincial Court to be holden for our said Province whensoever or wheresoever to be holden there to be Tryed And further we doe hereby Authorize you to Issue writts Processes Arrests & Attachm^ts^ to hold Plea of Oyer & Terminer & after Judgem^t^ Execuc̄on to Award in all causes Civill whither in Acc̄ons Reall or Personall where the thing in Acc̄on doth not Exceed the Value of three Thousand pounds of Tobacco according to the Lawes Orders & reasonable Customes made & used in our said Province of Maryland In which causes Civill so to be Tryed we doe Constitute Ordeyne & Appoint you Tho: Dent, John Jordaine, W^m^ Boarman & Gerard Slye to be Judges as afore-
p. 52 said (unlesse some one of Our Councell be then in Court) And therefore we Com̄and y^u^ that y^u^ diligently intend the

keeping of the Peace Lawes & Orders & all & singular either the prmisses And att certaine dayes Appointed according to Act of Assembly in that Case provided And such places which you or any foure or more of you as aforesaid shall in that behalfe Appoint Ye make Enquiries upon the prmisses & pforme & fullfill the same in forme aforesaid doeing therein that which to Justice apperteyneth according to the Lawes Orders & reasonable Customes of our said Province saveing to us the Amerciamts & other things thereof to us belonging And therefore we Comand the Sheriffe of the said County of St Maryes by Vertue of these prsents That att the dayes & places aforesaid which you or any such foure or more of you as aforesaid shall make knowne to him to give his Attendance on you And if need require to cause to come before you or any such foure or more of you as aforesaid such & so many good & lawfull men of yr County by whom the truth in the prmisses may the better be knowne & Enquired of And further you shall cause to be brought before you att the said dayes & place the Writts prcepts processe & Indictmts to yor Court & Jurisdiccon belonging that the same may be Inspected & by a due Course determined as aforesaid. Given att our Citty of St Maryes under the Great Seale of our said Province of Maryland the second day of March in the first yeare of our Dominion &c Annoq dmi One Thousand six hundred Seaventy five Lib. R. R.

Eodem die

The like Comission for the Peace in Kent County then Issued to

Joseph Wickes, James Ringold } Gent of the Quorum

John Hinson, Henry Hosier, Arthur Wright, Wm Laurence } Gentl Justices

Eodem die

The like Comission for the Peace in Ann Arundell County then Issued to

Major Wm Burges, Robert Burle, Samuell Lane, John Homwood } Gentl of the Quorum

Richard Ewen, John Welch, Robert ffrancklin, Richard Hill, Nathaniel Heathcoate } Gentl Justices

Lib. R. R. p. 53 Eodem die

The like Comission for the Peace in Calvert County then Issued to

Majo[r] Tho: Brooke, Samuell Bourne — Gentl of the Quorum

This Commission void another Granted.

Roger Brooke, W[m] Groome, Tobias Norton, Cuthbert ffenwicke, Richard Ladd, Robert High, Kath: Trueman, Tho: Sterling, W[m] Travers, W[m] Parker — Gentl Justices

Eodem die

The like Comission for the Peace in Charles County then Issued to

This Commission Void another Granted.

Henry Adams, John Stone — Gent of the Quorum.

ffrancis Pope, Zachary Wade, Joseph Harrison, John Bowles — Gentl Justices

Eodem die

The like Comission for the Peace in Baltemore County then Issued to

This Commission Void

George Vtie, Gentl of the Quorum

George Wells, Thomas Long, Richard Ball, Henry Haslewood, John Waterton — Gentl Justices

Eodem die

The like Comission for the Peace in Talbott County then Issued to

This Commission void

Richard Woolman, W[m] Coursey — Gentl of the Quorum

Tho: Hinson, Tho: Curtis, W[m] Hambleton, W[m] Stephenson — Gentl Justices

Eodem die Lib. R. R.

The like Comission for the Peace in Somrsett County then Issued to

Wm Stevens, Gentl of the Quorum

James Jones, John Winder, Henry Boston, Geo: Johnson, John White — Gentl Justices

Eodem die

The like Comission for the Peace in Dorchestr County then p. 54 Issued to

Robert Winsmore, Wm Stevens, John Hudson — Gentl of the Quorum

Henry Tripp, Stephen Gary, Barth: Ennalls, Henry Hooper, Wm fford, Tho: Skinner, Charles Hutchins — Gentl Justices

Eodem die

The like Comission for the Peace in Cecil County then Issued to

Augustine Herman, Henry Ward — Gentl of the Quorum

Abraham Wild, Joseph Hopkinson, Wm Tolson, John Gilbert — Gentl Justices

[Commission to Thomas Dent.]

Charles Absolute Lord & Propriety of the Provinces of Maryland & Avalon Lord Baltemore &c To our Trusty & well beloved Tho: Dent & John Jordaine gentl Greeting Whereas we have lately by our Comission under our great Seale of our said Province nominated Constituted & Appointed you the said Thomas Dent & John Jordaine & the severall other Persons in the said Comission named to be Comissionrs & Justices for the keeping our Peace in & for our County of St Maryes with full power & Authority to keepe our County Court there att such dayes & tymes as by the Lawe in that Case made is Provided Now know ye that we reposeing great Trust & Confidence in yor fidelityes & provident Circumspeccons

Lib. R. R. have Assigned you & by Vertue of these p[r]sents doe give unto you full power & Authoryty (you the said John Jordaine haveing first taken the usuall Oath of Com̄ission[r] & Justice of the Peace of our said County upon the holy Evangelists which Oath we doe hereby Empower & Authorize you the said Thomas Dent duely to Administer And you the said John Jordaine haveing received & taken the said Oath we doe hereby Authorize you to Administer the like Oath of Com̄ission[r] & Justice of the Peace of our said County to him the said Thomas Dent which being done & ꝑformed) that then you call & cause to come before you the other Persons in the said Com̄ission nominated & Appointed to be Com̄ission[rs] &
p. 55 Justices of the Peace of our said County & duely & truely to Administer unto them & every of them joyntly or severally the said Oath of Com̄ission[r] and Justice of the Peace of our said County they also takeing the same upon the holy Evangelists And when ye have so done We doe will & Comand you that you doe under yo[r] hands & Seales Certifie us of yo[r] whole proceedings herein without delay into our Court of Chancery wheresoever itt shall then be together with this Writt Wittnes ourselfe att our Citty of S[t] Maryes the second day of March in the first yeare of our Dominion over our said Province Annoq Dmi. One Thousand six hundred Seaventy five.

Eodem die

The like Dedimus Potestat to Joseph Wickes & James Ringold of Kent County gent

Idem to Majo[r] W[m] Burges & Robert Burle of Ann Arundell County gentl

Idem to Majo[r] Thomas Brooke & Samuell Boarne of Calvert County gentl

Idem to Henry Adams & John Stone of Charles County gentl.

Idem to Geo: Vty & Geo: Wells of Baltemore County gentl.

Idem to Richard Woolman & W[m] Coursey of Talbott County gentl.

Idem to W[m] Stevens & James Jones of Som[r]sett County gentl.

Idem to Robert Winsmore & W[m] Stevens of Dorchest[r] County gentl.

Idem to Augustine Herman & Henry Ward of Cecil County gentl.

Eodem die

Com̄ission for the Peace in Talbott County then Issued to

Richard Woolman
W[m] Coursey
Philemon Lloyd
Edward Mann

} Gentl of the Quoru.

Thomas Hinson
Philip Stephenson
Jonathan Sibrey
Richard Gorsuch
George Cowley
Wm Bishopp
Anthony Mayle
} Gentl Justices

Lib. R. R.

13th March 1676

*p. 56

Comission for the Peace in Calvert County then Issued to

Tho Brookes
Nathaniel Trueman
Samuell Bourne
} Gentl of the Quor.

Roger Brooke
Wm Groome
Tobias Norton
Cuthbert ffenwicke
Richard Ladd
Robert High
Tho Sterling
Wm Travers
Wm Parker
} Gentl Justices

John Darnell Clerke.

March 2d 1675 Comission for the Peace in Charles County then Issued to

John Stone
John Dowglas
Robert Henley
} Gentl of the Quor

this Commission Void

Zachariah Wade
Wm Barton
Tho: Hussey
Ignatius Causin
Robert Doyne
Wm Lee
Humphrey Warren
ffrancis Wynne
John ffaning
} Gentl Justices

Eodem die

Comission for the Peace in Baltemore County then Issued to

George Vtye.
Geo: Wells
Tho: Long
} Gentl of the Quor.

Richard Ball
Henry Haslewood
John Waterton
John Standsby
Tho: Hedge
} Gentl Justices

Lib. R. R. Eod die. Dedimus Potestatem to Tho: Brooke & Nathaniel Trueman of Calvert County at fol 54.

This Ded: void. The like to John Stone & John Dowglas of Charles County.

Aprill 8th 1676 Comission for the Peace in Charles County then Issued to

Henry Adams
John Stone
John Dowglas.
Robert Henley
} Gentl of the Quor.

Zachariah Wade
Wm Barton
Thomas Hussey
p. 57 Ignatius Causin
Robert Doyne
Wm Lee
Humphrey Warren
ffrancis Wynne
John ffaning
} Gentl Justices

Eodem die—Dedim potestat to Henry Adams & John Stone of Charles County at fol. 54

[Commission to Baker Brooke]

Ch: Baltemore.

Charles Absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baltemore &c To all to whom these prsents shall come Greeting Know ye that we reposeing speciall trust & Confidence in the Integrity and Abilityes of our trusty & well beloved Cousin Baker Brooke Esqr doe by these prsents Constitute & Appoint him the said Baker Brooke to be our Surveyor Genll of all & singuler our Castles Lordpps Mannors Forrests, Chases, Parkes Messuages Lands & Tenemts woods Rents Revenue possessions & hereditamts whatsoever within our said Province of Maryland And we doe hereby also Graunt unto him the said Baker Brooke all ffees Perquisitts Regards Advantages profitts & Allowances whatsoever to the said Office belonging or Apperteyning as fully & entirely & in as full & ample manner & for me as any other of our Surveyrs Genll ever had held or Enjoyed the same To have & to hold Enjoy & Exercise the aforesaid Office by himselfe or his sufficient Deputy or Deputyes with all things thereunto belonging dureing our pleasure Comanding also & by these prsents firmely Enjoyning all & singuler our Sheriffes & other Officers & Ministers & all other people within our said Province of Maryland that they be Assisting &

Aydeing unto him the said Baker Brooke & his Deputy or Deputyes in the Execucōn of the aforesaid Office from tyme to tyme as Occasion shall require & becometh them to doe Given under our hand & great Seale of our said Province of Maryland this tenth day of Aprill in the first yeare of our Dominion over our said Province Annoq Dmi One Thousand six hundred Seaventy six. Lib. R. R.

April the 4th 1676 p. 58

Then was the Hon^ble^ Philip Calvert Esq^r^ Sworne Chancellour of this province before his L^opp^ the Right Hon^ble^ Charles Lord Baltemore.

The Hon^ble^ W^m^ Calvert Esq^r^ sworne Principall Secretary and Notary Publiq of this Province

The Hon^ble^ Philip Calvert Esq^r^ sworne One of his L^opps^ justices of the Provinciall Court and of his L^opps^ Council.

The Hon^ble^ William Calvert Esq^r^ sworne One of his L^opps^ justices of the Provinciall Court and of his L^opps^ Council.

The Hon^ble^ Philip Calvert Esq^r^ sworne judge in Testamentary buisnesse according to the forme of the Oath following viz:

That he will truly and faithfully execute the Office & place of the judge or Comissary Generall for the proveing of wills & granting of administrations and in all other matters and causes incident and dependent thereunto And will administer justice equally to all parties without any partiality according to the best of his Skill & judgm^t^. So God Almighty help him & the holy contents of that booke.

April the 5th 1676.

Then was the Hon^ble^ Baker Brooke Esq^r^ The Hon^ble^ Jesse Wharton Esq^r^ and the Hon^ble^ Thomas Taylor Esq^r^ sworne of his L^opps^ Council and justices of the Provinciall Court before his Lordshipp.

[Commission to William Calvert.]

Ch: Baltemore:

Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baltemore &c To all Our Officers in Our said province of Maryland and all others whom these presents may concerne Greeting Know yee that wee reposeing especiall trust and confidence in the wisdome diligence experience and fidelity of Our trusty and Deare Cousin William Calvert Esq^r^ have constituted appointed and Ordained and by these p^r^sents doe constitute appoint and Ordaine him the said W^m^ Calvert to be Our Principall Secry

Lib. R. R. there And we doe by these presents appoint constitute and Ordaine the said W^m^ Calvert to be Our Principall Officer and keeper of the Acts and proceedings of Us and Our Council there for the time being and of and for the Entring and recording of all Grants by us or Our heirs to be made of any Lands or Offices within Our said Province To have and to hold execute and enjoy the said Office of Principall Secretary together with the priviledges and benefitts aforesaid unto the said W^m^ Calvert untill wee or Our heirs shall signifie Our or their pleasure to the contrary and no longer Provided alwayes that he take in Open Court in Our said province the Oath of Our Secretary there before he sitt or act as Secretary in Our said province to be likewise administred to him by us or any two of Our Council there who are hereby impowered and required to administer the same unto him (there) accordingly. Provided alwayes that he the said William Calvert
p. 59 shall from time to time and at all times hereafter permitt and suffer Our trusty and welbeloved Kinsman John Darnall Gent. peaceably and quietly to hold enjoy and execute the place or Office of Clerke of Calvert County Court in Our said Province of Maryland together with the profitts thereunto belonging Given under Our hand and great Seale of Our said Province of Maryland the fifth day of April in the first yeare of Our Dominion over Our said province of Maryland Annoq Dom One thousand six hundred seventy six.

Ch: Baltemore

Lib. R. Charles Absolute Lord and Propryetary of the Provinces of
p. 111 Maryland & Avalon Lord Baltemore &c To Our Dearely beloved Unkle Phillip Calvert Esquire Our Chancellor of our said Province of Maryland Greeting Whereas for the due Administration of Justice it is most necessary that there be A Succession from the dead to the liveing And that the wills of all persons Dyeing who in theire life time doe make Wills may be duely Proved And Letters of Administration of all persons dyeing without Wills may be Granted to such Persons who have the best right to succeed thereunto that there may (in that Case) be noe failer of Justice but that it may be duely Administred to all people within the said Province of Maryland Know therefore that we trusting in the Ability and Care and Integrity of you our said Vnkle have Constituted and Ordained And by this Our Comission doe Constitute and Appoint you Our said Vnkle to be Our Judge or Comissary
p. 112 Gen^ll^ for Probate of Wills And Granting of Administrations within the whole Province of Maryland Aforesaid And the Islands thereunto belonging And for all manner of Causes relateing to the Probate of Wills And Granting of Adminstra-

tions of the Goods & Chattells of all persons already deceased Lib. R.
or hereafter Deceaseing as to any Goods or Chattels which they have or shall have within the said Province of Maryland And in all the Incidences and Emergences thereunto belonging or thereupon Ariseing And in all matters Concerning the Exhibiting of the Inventaryes or Accompts.

Upon the makeing Probate of any such Will or Wills or granting of any Letters of Administration And of all and Every the Rights and Appurtenances thereunto belonging att the Suite or Instance of any Personn or Persons haveing or pretending to have Interest And to Proceed & Determine sentence Decree & Adjudge the same And Every of them And to Administer Right and Justice to all and Every Person therein According to the Laws in such Cases. And According to the Usage and Customes of the said Province And wee doe alsoe hereby grant unto you all other Powers and Priveledges Rights and Jurisdictions Lawfully belonging to A Court for makeing of Probate of Wills or Granting Letters of Administration as aforesaid And all due and Just ffees Profitts and Emoluments belonging to A Judge of such A Court as shall be Agreed and Settled by our Lieutenant and Councell in our said Province Saveing to all and Every Person and Persons that shall Conteine themselves Aggreived their Lawfull Appeale to us or in Our Absense to Our Lieutenant of the said Province for the time being or Such Other person or persons as Wee or our said Lievtenant shall appoint to heare and determine the same To Haue Hold Exercise and Enjoy the said office of Judge and Comissary Gen^{rll} aforesaid in Our said Province Unto you Our said Unkle And soe to remaine Continue doe and Exercise all and Singular the Premisses Till wee shall Signifie our Will and Pleasure to the Contrary Given under Our hand and Great Seale of this Our Province the fifth of Aprill in the first yeare of our Dominion over our said Province of Maryland Annoq Domi 1676.

Att a Council held at the Secretaryes Office the 6th of April Lib. R. R.
in the first yeare of his L^{opps} Dominion &c. Annoq Dom. p. 59
1676. Present

The Right Hon^{ble} Charles Lord Baltemore &c.

The Hon^{ble} { Philip Calvert Esq^{r} Chancellour
W^{m} Calvert Esq^{r} Principall Secretary
Baker Brooke, Thomas Taylor, Samuel Chew } Esq^{rs}

Then was read that part of the Charter of this Province giveing power to Enact Lawes & the same to execute And to

Lib. R. R. appoint & establish any judges or justices Magistrates & Officers whatsoever at sea & Land for what causes soever and with what power soever and in such forme as to his late L^opp^ of noble memory as his heirs shall seeme most convenient Also to remitt release pardon & abolish whether before judgment or after all Crimes or Offences whatsoever against the said Lawes and to doe all & every other thing or things which unto the compleate establishment of justice unto Courts Pretories & Tribunalls formes of judicature & manners of proceeding doe belong And by Judges by them delegated to award processe hold pleas & determine in all the said Courts & Tribunalls all actions suits & causes whatsoever as well Criminall as civil personall, reall, mixt & pretoriall, which being read & heard it is the judgment of his said Lordshipp that they are legally authorized and impowered to act as aforesaid according to the true intent of the said Charter.

At a Council held at S^t^ Johns the 12^th^ day of April 1676

Present

The R^t^ Hon^ble^ Charles Lord Baltemore &c.

The Hon^ble^ Philip Calvert Esq^r^ Chancellour
Wm Calvert Esq^r^ Principall Secretary
Baker Brooke Esq^r^
Samuel Chew Esq^r^
Jesse Wharton Esq^r^

Upon the Petition of M^r^ Christopher Rousby That Cap^t^
p. 60 Pery haveing a Considerable estate in this Province and being by his Occasions called for England foure yeares agoe did make Thomas Truman Esq^r^ his Attorny But not receiveing any effects of the produce of his said Estate he did about a yeare since send in One M^r^ John Gould with power by a letter of Attorny to manage the same who acted accordingly and haveing a great quantity of tobacco ready to Shipp for the accompt of Cap^t^ Pery. It hath pleased God to take him the said Gould out of this World so that for want of a person authorized to Shipp it the said tobacco is like to lye in the Country. That it was the instruction of the said Cap^t^ Pery that when the said Gold should have Occasion to leave the Country he should make the said Christopher Rousby his Attorny as the said Gould declared upon his death bedd and as by a certaine writeing under his hand & Seale then done & published may appeare But that being short and defective and no other Authority extant from Cap^t^ Pery.

The said Christopher Rousby most humbly referrs the matter to his L^opps^ Consideration and prayes that for the pre-

vention of the great damage which must otherwise fall upon Lib. R. R
Cap^{t} Pery His Lordshipp would be pleased to Order him the said Christopher Rousby or some other person whom his L^{opp} shall thinke fitt to act as Attorny of the said Cap^{t} Pery at least so farr as to Shipp his tobacco for him he haveing received none these foure yeares And that he the said Christopher or such other person as his L^{opp} shall nominate may for so doeing be indemnified.

It is the judgment and Opinion of his L^{opp} and Council here this day that M^{r} Christopher Rousby is sufficiently impowered to manage the affaire of Cap^{t} Richard Pery in this Province for the preservation of his estate according to the instructions of Cap^{t} Richard Pery to M^{r} John Gould by his letter beareing date at London the 14th of 9^{ber} 1674 & M^{r} Goulds will.

June the 6th 1676. p. 60

Comission for the peace in Somersett County then issued to

Gent. of the Quorum:
- W^{m} Stevens
- W^{m} Colebourne
- James Jones
- John White
- Thomas Walker
- George Johnson

Gent. justices:
- John Winder
- Charles Ballard
- David Browne
- James Dasheild
- W^{m} Jones
- ffrancis Jenkins
- W^{m} Brereton
- Roger Woolford
- W^{m} Ennis

Eodem die

Comission for the Peace in Cecill County issued to

Gent. of the Quorum:
- Augustine Herman
- Jonathan Sibrey
- Joseph Hopkins

Gent. justices:
- James ffrisby
- Nathaniel Styles
- W^{m} Toulson
- W^{m} Perse
- Nathaniel Garrett

Lib. R. R. Att a Councell Held at the Statehouse June the 7th in the first yeare of his Lopps Dominion &c. Annoq Dom. 1676

Present

His Lopp the Lord Proprietary

The Honble { Philip Calvert Esqr, Wm Calvert Esqr, Baker Brooke Esqr, Thomas Taillor Esqr } Councellors

Then came the Great men of Choptico, Mattawoman, Promunckey, Nangemy, Mattapenny & Pascattaway Indians.

Complaint was made by the Choptico Indians that Quahuncks wife had prest from her a Gunn by Capt Slye which is not returned her

Whereupon it is Ordered that Major Boreman, satisfie her for the same & that he be allowed Out of the publique three hundred pounds of tobacco.

Upon Complaint made hy Quanawows that her son hath hunted for Mr Sprigg & not satisfied him and that the said
p. 61 Sprigg hath taken from him six undrest Skinns & three drest Skins

Ordered that she be paid two Coats and that the said Sprigg be called to accompt for the same.

Ordered that for every Indian prisoner Enemyes to the English that these Our ffreind Indians shall take and carry either to Collonel Whartons or to Mr Rozers they shall be allowed & paid five Matchcoates for each prisoner.

And for every scalp of haire of any such Indian Enemy to be delivered as aforesaid three matchcoates for every Scalp of haire.

[Ordinaries.]

Lib. R. p. 144 Charles absolute Lord & Propry of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c sendeth greeting Whereas itt is requisite that Ordinaryes be appointed for the entertaining strangers & passengers travelling either on horse or on foot within our said Province of Maryland Know ye that we have appointed severall Ordinaryes to be kept as well in the Citty of St Maryes as one att the halfe way house, & one att newtowne Courthouse, in Charles County one att the Courthouse, one att the Mill, & one upon the Race. In Calvert County, foure att the Towne, & one att John Griggs's. In Ann Arundell County, one att the Courthouse, one att Richard Hills, & one att the red Lyon. Att the Court house in Talbot County one. Att the Court house in Kent County one. Att the Court house in Cecil County one. Att the Court house in Baltemore County one. Att the Court house in Dorchister

Ordinaries.

locus sigilli Ch: Baltemore.

County one, And att the Court house in Somrsett County one Lib. R.
Wee doe therefore hereby impower & authorize our deare Cousin Wm Calvert Esqr our Secry of our said Province to grant lycence or lycences to such person or persons as shall undertake to keep ordinary as aforesaid att the said severall & respective places & within the Countyes abovesaid The said Ordinary keepers in the Citty of St Maryes paying yearely to our said Cousin the sume of two thousand pounds of tobacco each person And all other the Ordinary keepers or such as shall keep Ordinary att the places abovesaid the sume of twelve hundred pds of tobacco yearely each person And that the respective Ordinary keepers doe & shall pay for their severall & respective lycences yearely to our said Cousin the sume of twenty shillings sterl, & to his Clerke five shillings sterl for their & every of their Lycences to keep Ordinary And further we doe hereby authorize & impower our said Cousin to ask demand receive & take not only the abovesaid quantityes of tobacco so do or to be due from the Ordinary p. 145
Keepers, but also ask demand receive & take of all & every of the Attorneys now Practitioners in our Provinciall Court (our Attorney Genll excepted) & which hereafter shall be admitted Attorneys in our said Court the sume of twelve hundred pounds of tobacco yearely each person And upon default of paymt of the severall & respective quantityes of tobacco so to be paid by the said Ordinary keepers as aforesaid, that itt shall & may be lawfull for our said Cousin to recall such Lycence or Lycences so by him granted or to be granted to such Ordinary keeper or Ordinary keepers as abovesaid And for default of payment of the severall & respective quantityes of tobacco so to be paid by the said Attorneys or practitioners in our said Provinciall Court (except before excepted) as abovesaid That the said Attorneys shall not be admitted to plead or prosecute any suite or suites within our said Court And if hereafter itt shall seem meet to us or our Lievt or Lievts & Councell of our said Province to admitt of any other or more Ordinaryes to be kept att any other place or places within our said Province That then such Ordinary keeper or Ordinary keepers shall have such Lycence or Lycences from our said Cousin for the same, paying unto our said Cousin such sumes of tobacco & money yearely as abovesaid viz: if in the Citty the sume of two thousand pds of tob & five & twenty shillings ꝑ Annum each person If in any other place the sume of twelve hundred pounds of tobacco & five & twenty shillings ꝑ annum each person so to be lycenced To have & to hold the abovesaid profitts benifitts & advantages (except above excepted) to him our said Cousin dureing our pleasure. Given under

Lib. R. our hand & lesser Seale the tenth day of June in the first yeare of our dominion &c Annoq Dmi. 1676.

Lib. R. R. p. 61 At a Councell held at S[t] Maries the 13[th] of June in the first yeare of his L[opps] Dominion &c Annoq Dom. 1676.

Present

The Right Hon[ble] the Lord Proprietary

The Hon[ble] { Philip Calvert Esq[r] Chancellour; W[m] Calvert Esq[r] Principall Secry; Baker Brooke Esq[r] Survey[r] Gen[r]all; Samuel Chew, Thomas Taillor, Jesse Warton } Esq[rs] } Councellours.

Then were the Articles of Warr read the tenor whereof follow in these words viz.

Articles of Warr.

Imprimis. Whosoever shall use any unlawfull Oath or Execration, if an Officer shall be severely reprehended at a Court Martiall, But if a Souldier he shall for every such first Offence forfeit twelve pence or the value thereof to be deducted Out of his next pay, and for the second Offence shall forfeit twelve pence or the value thereof as before and be laid in Irons for twelve hours, and for every like Offence afterwards shall pay and Suffer in like manner.

Item If any Officer or private Soldier shall presume to blaspheme the holy and undivided Trinity or the persons of God the ffather God the Sonn or God the holy Ghost or shall presume to Speake against any knowne Article of the Christian ffaith he shall have his toungue bored through with a red hott iron.

3[dly] If any Officer or Soldier shall abuse or prophane any place dedicated to the Worshipp of God or shall Offer violence to any Chaplaine or Minister of the Army or any other minister of Gods word he shall suffer such punishment as shall be inflicted on him by a Court martiall, But whosoever will take any of the Utensils or Ornaments belonging or dedicated to Gods worshipp in any Church or Chappell shall suffer death for the ffact;

4[thly] After the service of God Almighty all Officers and Soldiers shall to the best of their skill power and understanding faithfully serve his L[opp] the Lord Proprietary or his Leivtenant Generall and Cheife Governour for the time being
p. 62 and to that End & purpose every One of them of what quality or Condition soever shall for himselfe take the following Oath which shall be administred by such person or persons

and in such places as his L^{opp} the Lord Propry or his Leivtennt Generall for the time being shall appoint. Lib. R. R.

The Oath of ffidelity to be taken by every Officer and Souldier in the Army, Viz.

I A: B: doe sweare to be true and ffaithfull to his L^{opp} the Lord Propry and to his heirs and lawfull Successours and to be obedient in all things to his Generall or Leivtenant Generall for the time being and will behave myselfe Obediently towards my Superiour Officers in all they shall comand me for his Lo^{pps} Service And I doe further sweare that I will be true faithfull & Obedient Servant & Soldier every way performeing my best endeavours for his L^{opps} service Obeying all Orders and Submitting to all such rules and articles of Warr as are or shall be established by his L^{opp} or his Generall or Leivtenn^{t} Generall for the time being.

Soe help me God &c.

5^{thly} Whoever shall goe about to entice or perswade either officer or Soldier to joyne or engage in any traiterous or rebellious Act either against his L^{opps} person or Goverment shall suffer death for it, and whoever shall not reveale to his Superior Officer such a Conspiracy or intended rebellion so soon as ever it shall come to his knowledge shall be judged equally guilty with the Contrivers of such plott or conspiracy and consequently shall suffer the same penalty.

6^{thly} Whosoever shall presume to violate his L^{opps} Safe guard, safe Conduct or protection (Knowing the same) shall suffer death or such other punishment as shall be inflicted on him by his L^{opps} Generall Court Marshall.

7^{thly} If any Officer or Soldier shall behave himselfe disrespectfully towards his L^{opps} Generall Leivtenant Generall or other Cheife Comander of the Army or speake words tending to his hurt or dishonour he shall be punished according to the nature & quality of the Offence by the judgment of his L^{opps} Generall Court Marshall

8^{thly} He who shall in the p^{r}sence of his L^{opps} Leivtenent Generall or other Comander in Cheife draw his sword with a purpose to doe any Officer or any of his fellow Souldiers a mischeife shall suffer such punishment as a Court Marshall shall thinke fitt to inflict upon him for his said Offence.

9^{thly} Whoever shall presume to violate any Safe Conduct or protection given by his L^{opps} Generall Leivtenant Generall or Other Comander in Cheife of his L^{opps} fforces (Knowing the same) shall suffer death or such other punishment as shall be inflicted on him by his L^{opps} General Court Marshall.

10^{thly} If any number of Souldiers shall presume to Assemble to take Councell amongst themselves for demanding p. 63

Lib. R. R. their pay, any inferior Officers accessary thereto shall suffer death for it, as the heads and Ring leaders of such mutinous and Seditious meetings, and the Souldiers shall be punished either with death or otherwise at the discretion of his L^opps^ Generall Court Marshall, and if any Captaine being privy thereunto shall not suppresse the same or Complaine of it, he shall likewise be punished with death or otherwise as the said Generall Court Martiall shall thinke fitt.

11^thly^ Noe Officer or Souldier shall utter any words tending to Sedition mutiny or Uproar upon paine of Suffering such punishment as shall be inflicted on him by a Court Marshall And whosoever shall heare any mutinous or seditious words Spoken and shall not with all possible Speed reveale the same to his Superior Officers or Comanders shall be punished as a Court Marshall shall thinke fitt.

12° If any Inferiour Officer or Souldier shall refuse to Obey his Superior Officer or shall quarrel with him, he shall be cashiered or suffer such punishment as a Court Marshall shall thinke fitt, but if any Souldier shall presume to resist any Officer in the execution of his Office or shall strike or lift up his hand to stricke or shall draw or offer to draw or lift up any weapon against his Superiour Officer upon any pretence whatsoever he shall Suffer death or other condigne punishment as a Generall Court Marshall shall thinke fitt.

13° Every Souldier shall keepe silence when the Army is marching embatteling and takeing Up their Quarters (to the end that their Officers may be heard and their Orders executed) upon paine of imprisonment or such other punishment as a Court Martiall shall thinke fitt according to the circumstances and aggrevation of the ffact.

14° He who shall in Anger draw his Sword whilst his colours are flying either in Battle or upon the march unlesse it be against the Enemy shall Suffer such punishment as a Court Martiall shall thinke fitt.

15° When any march is to be made every man who is sworne shall follow his Colours and who ever shall (without leave) stay behind or depart above a mile from the Camp or Out of the Army without Licence shall suffer such punishment as shall be inflicted on him by a Court Martiall.

16° When an Army or any part thereof shall march through the Country or lodge or Quarter in any plantation or plantations belonging to any Inhabitant or Inhabitants of this Province none of them shall wittingly or willingly commit any
p. 64 wast or spoile nor tread downe or otherwise destroy standing Corne or other graine whether Indian or Other, nor tobacco nor any other husbandry or manufacture whatsoever, whereby the Inhabitants of this province seeke to gett a livelyhood for

themselves and familyes, nor committ any other wast or Spoile as breakeing downe or burning of ffences &c tending to the prejudice and greivance of the said Inhabitants and to the penalty of being censured to Suffer as the Generall Court Marshall shall thinke fitt. Lib. R. R.

17° When the Army or any part thereof shall come to engage the Enemy in fight, whoever shall runn from his Colours (be he native or Stranger) or doth not defend them to the utmost of his power so long as they are in danger shall Suffer death for it, And whatsoever Souldier shall at any other time runn away from his Colours shall Suffer death or such other punishment as a Generall Court Marshall shall thinke fitt.

18° If any Regiment or Comanded party shall not behave themselves in fight against an Enemy as they Ought to doe they shall answer for it before a Generall Court Martiall and the Officer or Souldier who shall be found faulty therein shall suffer such punishment as shall be thought fitt to be inflicted on him by the Generall Court Marshall aforesaid.

19° When it shall please God that Our fforces shall beate the Enemy every man shall follow his Officer in the chase but whoever shall presume to pillage or plunder till the Enemy be beaten, and any misfortune happen he shall Suffer death or such other punishment as shall be pronounced against him by the Generall Court Martiall and the pillage so gotten shall be forfeited to the use of the sick and maimed Soldiers.

20° No Officer or Soldier whatsoever to plunder or pillage any house or plantation of or belonging to any the Inhabitants of this Province (without leave or necessary reason) much lesse to sett fire or lay wast any such house or plantation as aforesaid more especially any house erected for divine worshipp & Service whether called by the name of Church Chappell or otherwise neither shall they Offer Violence to any the good people of the Province whether men or women maids or Children more especially such as Officiate in either Church Chappell or elsewhere in the divine worshipp and Service of God whether preists ministers or Others unlesse such men women or Children and others as beforesaid be found actually in armes against them upon paine of death or other punishment at the discretion of the Generall Court Martiall, but whoever shall force a woman to abuse her and the fact be Sufficiently proved against him he shall certainly suffer death for it.

21° No Soldier shall presume to make any Alarme in the Quarter by Shooting off his muskett in the night after the watch is sett unlesse it be at an Enemy upon paine of Suffering such punishment as a Court Martiall shall thinke fitt. p. 65

Lib. R. R.

22° No Souldier shall in anger draw his Sword in any Camp post or Garrison upon paine of Suffering such punishment as a Court Marshall shall thinke fitt to enflict upon him for the same.

23° Whoever makes knowne the watchword without Order or gives any Other word but what is given by the Officer shall Suffer death or such other punishment as a Generall Court Marshall shall thinke fitt.

24° A Centinel who is found Sleeping in any Post Garrison Trench or the like (while he should be upon his duty) shall Suffer death or such other punishment as the Generall Court Marshall shall by their sentence inflict for the same. And if any Centinel or Perdue shall forsake his place before he be releived or drawne off, or upon discovery of an Enemy shall not give warning to his Quarters according to direction he shall Suffer death or such other punishment as the Generall Court Marshall shall thinke fitt, As likewise if any Souldier imployed as a scout shall not goe upon that Service so farr as he is Comanded, or haveing discovered an Ambush or approach of the Enemy shall not returne forthwith, to give notice or warning to his Quarters or if he enter into any house and there or else where be found Sleeping or drunck whilst he should have been upon the Service he shall Suffer death or such other punishment as shall be inflicted by the Sentence of the Generall Court Martiall.

25° Whoever shall doe violence to any who shall bring Victualls to the Camp or Garrison or shall take his horse or Goods shall suffer death or such other punishment as he shall be sentenced to by the Generall Court Martiall

26° If any shall presume to beate or abuse his Host or the Wife Child or Servant of his Host where he is quartered or billetted he shall be putt in Irons for it, and if he doe it a second time he shall be further punished, and the party wronged shall have amends made him and if any presume to exact free quarter without leave of the Cheife Officer upon the place they shall be severely punished at the discretion of a Court Martiall.

27° Noe Souldier or Officer shall use any reproachfull or provokeing Speech or Act, to another upon paine of imprisonment such further punishm^{t} as a Court Marshall shall thinke fitt neither shall any Officer or Souldier presume to send a Challenge to any Other Officer or Souldier to fight a duel neither shall any Souldier or Officer presume to upbraid another for refuseing a Challenge for whoever shall offend in either of these cases, if he be an Officer he shall loose his place and Comand whatever it be and if a private Soldier he shall ride the wooden horse and be further punished as a

Court Martiall shall thinke fitt, And if any Corporall or other Officer comanding a Guard shall willingly or knowingly Suffer either Soldiers or Officers to goe forth to a duel or private fight he shall be punished for it by the sentence of a Court Martiall, fforasmuch as all Officers of what Condition soever shall have power to part and quell all Quarrells frayes or sudden disorders between Soldiers and Officers though of an other Company Troop or Regiment and to committ the disordered persons to prison untill their proper Officers be acquainted therewith and whoever shall resist such an Officer (though of another Company Troop or Regiment, or draw his Sword upon him, shall be severely punished as a Generall Court Martiall shall appoint, But if two or more goeing into the feild to fight a duel, shall draw their swords or other weapons and fight though neither of them fall upon the Spott, nor dye afterwards of any wound there received yet if they be Officers they shall loose their places and if comon Soldiers they shall be punished with rideing the wooden horse or otherwise as a Court Martiall shall direct, and lastly in all cases of Duels the seconds shall be taken as principalls and punished accordingly. Lib. R. R. p. 66

28° None shall appeare at the appointed place of Randevouze there to be mustered but such as armed as followeth viz. each horseman a good Sufficient able Sword one well fixt gunn or Carabine and One good well fixt pistoll at the least or two if any wayes to be procured, The foot to have each Souldier a Sword and musquet or other Gunn to be well fixt and fitted up

29° All passes and Licences for being absent shall be brought to the muster Master who is required to Enter the same in a booke fairly written to prevent Collusion, and whoever is absent longer then the time limitted in his passe for his absence shall be respited and not allowed the muster without Order from his L^opp^ his Generall or Leivtenant Generall for the time being. But if the Comissaries Generall shall upon the muster find to many absent from any Company or Troop at a time they are to complaine thereof to his L^opp^ his Generall or Lievtenant Generall aforesaid.

30° If any Souldier shall be Sicke wounded or maimed in his L^opps^ and the Country's Service he shall be sent Out of the Camp with the first convenient Oppurtunity to some fitt and convenient place for his recovery where he shall be provided for by the Officer or other person or persons appointed to take care of sicke and wounded Souldiers, his wages or pay according to Act of Assembly for that case made & provided to goe on and be duly paid him, till it shall appeare he be well recovered and that troop or Company be disbanded, But if

Lib. R. R. such Souldier shall happen to dye of such his wounds received in the said Service then provision to be made for maintenance
p. 67 of his Relict and Children (if any he leave behind him) for his Relict & widdow dureing the time of her widdowhood and for his Children dureing the time of their infancy or till such time they may be putt apprentices or come to yeares capable of getting their Owne Livelyhood.

31° All Captains shall use their utmost endeavours to have their Troops and Companyes Compleate and full and within two dayes after Every Generall muster both the Captaine and muster master shall send to the Generall if he requires it a perfect List or Roll of all the Officers Troopers and Souldiers of their Troopes and Companyes that are in actuall Service, punctually expresseing at the foot of the Rolls what new Officers Troopes and Souldiers have been entertained since the preceding muster in lieu of such as have been cashiered or are deceased, with the day when one dyed or went of and the other was entertained in his place.

32° His L^{opp} the Lord Proprietary doth expressely forbidd any Souldiers duty to be done either of horse or foot by any other then the Souldier himselfe, but in case of Sicknesse and disability or other necessary cause his Cap^{t} may dispence with his absence, without causeing him to find another to serve in his stead.

33° If any Trooper or Dragooner shall loose or Spoile his horse or any ffoot Souldier his armes or any part thereof by negligence or gameing he shall remaine in the quality of a pioneer or Scavinger, till he be furnished with as good as were lost at his Owne charge, and if he be not otherwise able the One halfe of his pay shall be deducted and sett apart for the providing of it till it be refurnished neither shall any Souldier pawne or sell or negligently or wilfully breake his armes or any part thereof, or any hatchetts Spades Shovells pick axes or other necessaryes of warr upon paine of Severe punishment at the discretion of the Generall Court Martiall, And where armes or other necessaries aforesaid shall be pawned they are to be forfeited and seized on for his L^{opps} use.

34° None shall presume to Spoile sell or convey away any ammunition delivered unto him, upon paine of Suffering death or such other punishment, as the Generall Courte Martiall shall thinke fitt.

35 Every Officer Provider or Keeper of Victualls or ammunition ordered and appointed to manage the said Office by his L^{opp} the Lord Proprietary or in his absence by his Leivtenant Generall for the time being shall use the utmost of his endeavours according to the best of his Skill power & under-
p. 68 standing for provideing and getting Sufficient and convenient

provision of Victualls and ammunition for all such fforces of horse and foot as by his L^opp^ or his Leivtenant Generall shall be raised or levyed within their severall and respective divisions for any march or expedition against an Enemy And no such Officer provider or keeper as aforesaid shall imbezzle or willingly Spoile or give a false accompt of any such victualls or amunition soe provided or gathered together or any part or parcell thereof to whom he is to make his accompt upon paine of Suffering such punishment as the Generall Court Martiall shall thinke fitt Lib. R. R.

36° Noe Officer or Souldier shall be a victualler in the army without consent and allowance of the Generall or of the Officer in Cheife of the Regiment upon paine of being punished at discretion.

37° Noe Victualer or Seller of Beere, Ale, wine, or other strong liquors belonging to the Army shall entertaine any Soldier in his house, booth, Tent, or Hutt after the warning peice, tattoe or beate of Drumm at night or before the beating of the Revelle in the morning, nor shall any Soldier (within that time) be any where but upon his duty or in his quarters upon paine of punishment both to the Souldier and Entertainer at the discretion of a Court Martiall.

38° Those who are judges in his L^opps^ Generall Court Martiall or in Regimentall Court Martialls shall hold the same ranckes in those Courts as they doe in the Army, for Orders sake and they shall take an Oath for the due administration of justice according to these articles or (where these articles assigne no absolute punishment) according to their consciences the best of their understanding, and the Custome of Warr in like cases, and shall demeane themselves Orderly in hearing of causes (as becomes the gravity of such a Court) and before giveing of Sentence, every judge shall deliver his Vote or Opinion distinctly and the Sentence to be according to the plurality of Votes, and if there happen to be an equality of votes the president is to have a casting voice, And when Sentence is to be given the president is to pronounce it, and after that the sentence is pronounced the provost martiall shall have warrant to cause execution to be done according to the Sentence.

39° At the Generall Court Martialls there shall be a Clerke who shall be sworne to make true and faithfull records of all the proceedings of that Court, and there shall be also such other Officers appointed both for that and also for the Regimentall Court Martialls as shall be necessary and the Generall Court Martiall may appoint and limitt the ffees of the provost Martiall Generall as they shall thinke fitt.

Lib. R. R. p. 69

40° All controversies either betweene Souldiers and their Captaines or other Officers or betweene Souldier and Soldier relateing to their military capacityes shall be summarily heard & determined at the next Court Martiall of the Regiment.

41° In any matter which shall be adjudged in any of the aforesaid Regimentall Court Martialls either of the partys that find himselfe aggreived, may appeale to the Generall Court Martiall who are to take care that if the party appealeing make not good his suggestion, recompence be made to the Other for the trouble and Charge of such an appeale.

42° In all Criminall causes which Concerne his L^opp^ and his Goverment his L^opps^ Advocate Generall, or Judge Advocate of his L^opps^ Army shall informe the Court and prosecute on his L^opps^ behalfe.

43° Noe Officers or Souldiers shall presume to hinder the provost martiall, his Leivtenent or Servants in the execution of that Office upon paine of death or such other punishment as a Court Martiall shall thinke fitt. But on the contrary all Captaines Officers and Souldiers shall doe their utmost to apprehend and bring to punishment all Offenders, and shall assist the Officers of the Army for that purpose, especially the said provost martiall his Leivtenant and Servants, and if the provost martiall or his Officers require the assistance of any Officer or Souldier in the apprehending any person declareing to them that it is a Capital Crime, and the party escape for want of aide and assistance, the party or parties refuseing to aide or assist shall Suffer such punishment as a Court Marshall shall inflict.

44° Noe Officer or Souldier of what quality or degree soever shall at any time presume to Offer violence to, or lay any violent hands upon the persons of any Embassadors or others ministers sent Out to treate with the Generall or other Comander in Cheife of his L^opps^ fforces, touching peace or warr, but that they shall grant and afford to the said Embassadours or other ministers as afforesaid the priviledge of safe conduct with free ingresse, egresse & regresse dureing the time of such treaty without the least act of hostility to be offered to their persons or the persons of their retinue and attendants under paine of death.

45° That Officer or Souldier who shall presume to draw his Sword in any place of judicature while the Court is sitting shall suffer such punishment as shall be inflicted on him by a Court Martiall. And his L^opp^ doth hereby authorize the provost martiall of his L^opps^ Army by his owne authority to apprehend such Offenders, and if any Souldier being comitted for any Offence shall breake prison the said

provost Martiall Generall shall by his Owne authority appre- Lib. R. R.
hend him & the offendors shall suffer death or such other punishment as the Generall Court Marshall shall thinke fitt.

46° If any ffray shall happen within the Camp or place of p. 70
Garrison in any of the Souldiers Lodgings or where they meete it shall be enquired into by the Officers of the Regiment, and the Beginners or pursuers thereof punished according to the quality of the Offence.

47 If any inferior Officer either of horse or ffoot, be wronged by his Officer he may complaine to his Collonel, or other Superior Officer of the Regiment, who is to redresse the same upon due proof of the wrong done him; but if he faile therein, the party greived is to apply himselfe to the Generall Officer for redresse, and if the accusation be false, the Complainant is to be punished at the discretion of a Court Martiall.

48° If any Collonel or Captaine shall force or take any thing away from any private Souldier that Collonel or Captaine shall be punished according to the quality of the Offence by the judgment of the Generall Court Martiall But if a Souldier shall be wronged, and shall not appeale to the Court or his Superior Comanders but take his Owne satisfaction for it, he shall be punished by the judgment of a Court Martiall.

49° If any Souldier dye, no other shall take or Spoile his goods upon paine of restoreing double the value to him to whom they belong and of such further punishments as a Court Marshall shall thinke fitt, But the Captaine of the Comp[a] of which such a Souldier was, shall take the said goods into his custody and dispose of them for paying his Quarters (if any thing therefore be found due) and to keepe the overplus (if any be) for the use of those to whom they belong, and who shall claime the same within three months after his death, And if any Captaine or Officer dye the Cheife Comander shall take care of preserveing his estate in like manner.

50° Noe provost martiall shall refuse to receive or keepe a prisoner sent to his Charge by authority, or shall dismisse him without order upon paine of such punishment as a Court Martiall shall thinke fitt. And if the Offence for which his prisoner was apprehended deserved death, the provost martiall faileing to receive and keepe him as afores[d] shall be liable to the same death.

51° If any person be committed by the provost martialls owne authority without other Comand, he shall acquaint the Generall or other Cheife Comander with the cause thereof within foure and twenty houres, and the provost Martiall shall

Lib. R. R. thereupon dismisse him, unlesse he have Order to the contrary.

p. 71 52° Noe man shall presume to use any braveing or menaceing words, signes or Gestures, where any of the aforesaid Courts of justice are sitting. Upon paine of Suffering such punishment as the Court Martiall shall thinke fitt.

53° Whatever is to be published or Generally made knowne shall be done by Beate of Drumm or the sound of trumpett or other publique notice given that so no man may pretend ignorance thereof, and after that whoever shall be found disobedient or faulty against what is thus published shall be punished according to these articles or the quality of the ffact.

Which said Articles of Warr were admitted by his Lordshipp and Councell and Ordered that Coppyes thereof be sent to the respective Collonels within this province to be published at the heads of their Companyes and that every Collonel give Coppy thereof to his respective Captaines to be published at the heads of their Companyes, and that each respective Collonell Satisfie and pay unto the Clerke of the Councell for the time being for the Coppy of the said Articles the summe of foure hundred pounds of tobacco.

At a Councell held at Mattapanye June the 16th in the first yeare of his L^opps^ Dominion &c Annoq Dom: 1676

Present

The R^t^ Hon^ble^ the Lord Proprietary

The Hon^ble^ { Philip Calvert Esq^r^ Chancellour
W^m^ Calvert Esq^r^ Principall Secry
Baker Brooke Esq^r^ Survey^r^ Generall
Thomas Taillor, Samuel Chew, Jesse Wharton } Esq^rs^ } Councellours.

Jn° Blomfeild Cl.

Came Maquata King of Mattawoman and gave the Lord Proprietary to be informed, that he was in great danger of being destroyed by the comon Enemy, and therefore feared his Owne life, if the Pamunckye Prisoner were sett at liberty; That the Matchoaticke Indians had a mind to come over to his ffort and that he doth beleive there will be many Indians (whether enemyes or ffreinds he knowes not but feares the worst) in his Quarters ere long, and therefore desires to know his L^opps^ pleasure how he shall demeane himselfe towards them as well for his owne security as the security of the English. And he further shewed that since his L^opp^ was goeing for

England he feared that after his departure he should be for- Lib. R. R.
gotten by the English, and therefore prayed some care to be p. 72
taken of him now which may stand him insteed in his Lordshipps absence.

And upon Serious consideration had of the whole matter Ordered by the Councell his L^opp^ being present, that since it was agreed betweene his said L^opp^ and the said King and the other Kings that neither he nor any Other should entertaine any Indians that should at any time come from Virginia, The said Pamunckye Indian prisoner shall be delivered up to the Virginians, as a person violently suspected to have had his hand in blood on that side potomack River and the Other three Indian prisonners be likewise delivered up to the Goverm^t^ of Virginia, by them to be examined and that the said Goverm^t^ be given to understand that wee doe not deliver up those Indians (amongst which the King of Youcomacko is One) as persons that have had their hand in blood or anywayes deserve death, but to lett them see wee will not give the least encouragement to any Indians to come over into Our Goverment, by that meanes to take away all cause of Suspition that wee endeavo^r^ to conceale any thing that may turne either to their good or Our owne disquiet.

And as Wee have no reason to Suspect the King of Youcomako or his ffather or the Pascattoway Indian so this Goverm^t^ shall desire the Goverment of Virginia to returne us the said King of Yoacomoco and his ffather and the Pascattaway Indian after they have examined them

And forasmuch as the Goverm^t^ is very sensible of the danger the said King is in and the advantage in point of Security his preservation will be to us in Maryland It was further Ordered that twenty men well maintained at the charge of the province under the Comand of Cap^t^ Henry Aspinall and (if the said King can find a house within the ffort,) to remaine in the ffort, otherwise to remaine at Cap^t^ Henry Aspinalls ready to assist the said King upon all Occasions, according to such Orders & directions as shall from time to time be sent to the said Aspinall from his Lordshipp or his Governour and Councell for the time being.

And hereupon as a marke of his L^opps^ Kindnesse and a pledge of ffreindshipp his said L^opp^ gave unto the King of Mattawoman a medall with the effigies of the R^t^ Hon^ble^ Cecilius his L^opps^ ffather lately deceased on the one side and the Mapp of Maryland on the other side with a blacke and yellow Ribbon.

Ordered likewise that Collonel Jesse Wharton deliver p. 73
twenty armes and amunition convenient to such twenty men as shall be raised for the assistance of the said King of Mattawoman.

Lib. R. R. Ordered also that Cap^{t} John Allen doe continue to range above Pascattaway and Over towards Petuxent with thirty horse till ordered to the Contrary.

The Councell likewise tooke into consideration made by Collonel Nicholas Spencer viz. 12 matchcoats to the Pascatoway Indians, and ordered that those persons who shall carry the Pamunkye prisonner Over to the said Spencer shall desire him to give halfe the said matchcoates to the King of Mattawoman as a reward of his Service in takeing the said prisonner.

Ordered that M^{r} Benj^{n} Rozer and Major W^{m} Boreman receive the foure Indian prisoners from Cap^{t} Leiv^{t} Barton and convey them Safely Over to Collonel Nicholas Spencer and in his absence to Leiv^{t} Collonel John Washington or Major Isaac Alderton, and to bring backe the Choptico, Youcomaco and Pascattaway Indians, and that they doe presse boates or any thing else needfull for the Service.

And Major Boreman is to lett the Choptico and Pascattaway Indians Know that they are sent Over into Virginia only to tell them the newes and so to come backe againe to live with their ffreinds. And to that end M^{r} Benj^{a} Rozer is not to permitt the Choptico and Pascattaway prisoners to goe on Shoare in Virginia, till Coll Nicholas Spencer Leiv^{t} Coll John Washington, and Major Isaac Alderton or one of them have given him their paroll that they will permitt him to bring the said Indians backe into Maryland againe After which the said Rozer is to deliver the Choptico Indians to the King of Choptico with a strict com̄and not to receive any more Indians from Virginia and to deliver the Pascattoway Indian to Major Boreman to be delivered to the Emperour with like charge.

John Hall of Calvert County haveing presented his accompt against estate of George Beckwith deceased

It is the Opinion of the Councell that it is reasonable that the same be allowed and paid by the administrator when appointed and that the said John Hall take the same care of the estate of the said Beckwith as formerly untill the County Court of Calvert County otherwise Order and that the said John Hall give notice hereof unto the Com̄issioners of the said County at a Court to be holden for the said County on tuesday next.

Then was his Lordshipps Com̄ission to his Sonn Cecill his
p. 74 L^{opps} Leivtenant Generall and Cheife Governour and Jesse Wharton Esq^{r} Deputy Leivetenant and Deputy Governour under the said Cecill (dureing the absence of his L^{opp} Out of this province read and the Oath of Deputy Leivtenant and Deputy Governour as aforesaid was by his L^{opp} administred unto the said Jesse Wharton

June 14th 1676

Lib. R. R. p. 75

Comission for the peace in Kent County then issued to

Joseph Wickes
John Hinson
Thomas Marsh
} Gent of the Quorum

Henry Hosier
Wm Lawrence
Nathaniel Evett
Samuel Covey
Cornelius Comegys
Disborow Bennitt
} Gent. justices.

At a Councell held at Matapanye the 19th of June 1676. p. 60

Present

The Right Honble the Lord Proprietary

The Honble { Wm Calvert Esqr Principall Secry / Baker Brooke Esqr Surveyr Genll / Thomas Taillor Esqr } Councellors

Then was Mr Henry Coursey Sworne One of his Lopps Councell and justice of the Provinciall Court

An Ordinance of the Right Honble the Lord Propry of the Province of Maryland sett forth & Published for the settling & Establishing of a fferry to be constantly kept over Petuxent River in Calvert County.

Whereas many Inconveniencyes have & doe daily happen to divers the Inhabitants of this Province that have Occasion to travell either on horse back or on foot over Petuxent River about their lawfull occasions And for that severall Assemblies have Endeavoured to make a Law for the same, but could not pitch upon a Person that would willingly undertake the same that lived conveniently to performe itt Wee doe Authorize & Impower John Griggs or his Assignes to keep fferry Boats for to Transport men & horse from his now dwelling house over the said River of Petuxent to his Plantacon on the other side, or from thence to his dwelling house aforesaid And to Aske demand Receive & take for every person he shall Transport either backwards or forwards over the said River the sume of one shilling And also to aske demand Receive & take for every horse he shall Transport as aforesaid the like sume of one shilling or the Value thereof To have hold & Enjoy the sole priviledge benifitt & Advantage of keeping the said fferry for Transporting Persons & horses over the said River as aforesaid during the terme of one yeare. Provided allwayes that the said John Griggs shall keep a sufficient Boat or Boats man or men for the doing & pforming the same

Lib. R. R. (wind & weather permitting) And shall not att any tyme p[r]sume to Exact or demand more of any person then is hereby allowed him for the same upon paine of forfeiting the Lycence liberty & priviledge hereby Granted itt being made Appeare to his L[opps] Justices of the Provinciall Court And also Provided that the said John Griggs or his Assignes take Speciall
p. 76 care to Examine persons that they know not of their owne certaine knowledge to be ffreemen, that so Runaway Servants may not be helped forwards by reason of the fferry Boat aforesaid And wee doe hereby Order Comand & Enjoyne all Persons whatsoever for private gaine or otherwise to forbeare to keep any fferry Boat or Boats for Transporting either men or horses over the said River of Petuxent or any part thereof att their perill Given under the great Seale of the said Province of Maryland the Thirtieth day of June in the first yeare of the Dominion of Charles &c Annoq Dmi. 1676.

Jesse Wharton

PROCEEDINGS

OF THE

COUNCIL OF MARYLAND.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

CECILIUS CALVERT,
Governor.

JESSE WHARTON,
Deputy Governor.

1676.

At a Councell held at Mattapenye Thursday July the 6th 1676. Present Lib. R. R. p. 76

The Hon^ble { Jesse Wharton Esq^r Deputy L^t & Deputy Gov^r; Philip Calvert Esq^r Chancellour; W^m Calvert Esq^r Principall Secry; Baker Brooke Esq^r Survey^r Generall } Councello^rs

Jn° Blomfeild Cl.

Ordered that Gerard Browne and Docter Maddox be satisfied Out of the publique for pasture of Cap^t Allen his troop of horses so long as they shall be imployed about the safety of the King of Mattawoman

Ordered that the twenty horse men to be appointed by Cap^t Allen to assist the King of Mattawoman receive their orders from time to time from Cap^t Aspinall to be sent the said Aspinall from the Deputy Gov^rnor and Councell and by the said Aspinall to be delivered to the Officer that comands the said horse. And that the said Aspinall buy a small boate or Cannough to passe the Creeke to the Indian Towne upon all Occasions for which he is to be allowed out of the publique.

Cap^t Allen desireing to know how he should behave himselfe in case he should meet the Seneca or any other Enemy Indians (who as it is Supposed comes to warr with Our ffreind Indians) It is resolved that he first attempt and endeavour to make peace between them by all meanes possible, But if it cannot be done, Then according to the agreement that wee have made with Our Own Indians, he is then to give notice to the Deputy Governor, and in case Our ffreind Indians will send Out a Sufficient number able to engage the Enemy to joyne with him against the Seneca or any other Enemy that then he assist them.

Att a Councell held at Mattapenye ffriday the seventh day of July 1676 present ut supra.

Ordered that immediately upon sight hereof All military Officers muster their men under their Comand and appoint every man to be in a readynesse upon all occasions as the Deputy Governour and Councell shall thinke fitt, and that they be provided each man with ten pounds of biskett and beefe or bacon proportionable, One pound of powder and three pounds of Shott. And that the Captaines, Leivtenants Ensignes & Sergeants within six dayes after goe to each

Lib. R. R. person and see that he be provided with ten pounds of biskett. And that the respective Captaines send downe to the Deputy Governour their Muster Rolls.

p. 77 Ordered that notice be given to the Comissionrs of each respective County to give the Deputy Governour an accompt of the names of the pressmasters and providers of provisions in each respective hundred.

In case the Pascattaway Indians desire any men to assist them it is resolved that forty or fifty men be appointed for that purpose.

That no person presume to give a false Alarm and that all persons are required to give Alarm when Occasion requires by fireing three Guns distinctly One after the other, and all persons that heare the same are to answer it accordingly. And the next military Officer of the County is hereby Ordered to enquire of the true cause thereof & to give notice of the same with all Speed to the Deputy Governour.

That a Messenger be sent to Virginia and that the Chancellour be desired to write to Collonel Spencer or some other person to enquire the truth of Affaires there.

That no person or persons whatsoever fire any Gunn after Sunsett unlesse upon Occasion of an alarm, as he or they will answer the contrary at their utmost perills.

Whereas the Lord Proprietary and Councell have made peace with the Pascattoway Chingwaticke Mattawomen Nangemy & Choptico Indians and bound Ourselves to mutuall assistance, if any Officer or Soldier shall strike any of those Indians or any other Indian now in amity or hereafter to be in amity with his said Lordshipp being marching with us or in Garrison with us, shall be punished with death, or other punishment at the discretion of the Generall Court Marshall.

And if any private Soldier shall abuse by words any of the said Indians such private Soldier shall be punished by riding the wooden horse runing the Gantlope or other such like punishment at the discretion of the Court Marshall or the Comander in Cheife then present.

Ordered that the aforegoing Orders relateing to the Militia be added to the Articles of warr.

The Councell consent to meete at St Maries upon thursday next being the thirteenth day of this instant July, and so every thursday One thursday at St Maries and One thursday here at Mattopanye.

At a Councell held at Mattapanye thursday the 13th of July 1676. Lib. R. R.

Present

Jesse Wharton Esqr Deputy Lt & Deputy Governr

The Honble { Philip Calvert Esqr Chancellour
Wm Calvert Esqr Principall Secry
Baker Brooke Esqr Surveyr Genll } Councillors

Jno Blomfield Cl.

Ordered that there be a Councill of Warr held at St Maries on thursday the twentith of this instant July and that Order be sent to Collonel Samuel Chew, Collonel Wm Burges Collonel Thomas Brooke Leivt Collonel Thomas Taillor Major Wm Boreman Major John Douglas, Major Henry Joules Major Samuel Lane, Capt Henry Darnall Capt Gerard Slye, Capt Samuel Bourne Capt John Allen and Capt George Wells to appeare at the said time and place to joyne with the said Deputy & Councill in the said Councell of Warr. Which said Orders issued to the said respective Officers according p. 78 to the tenor hereof.

Imediately upon Sight hereof you are to prepare your Self so that you appeare on thursday the twentith instant at St Maries there to joyne with the Deputy Leivtenant of this province and his Lopps Councell together with the other Officers that shall then and there be present in a Councell of Warr to advize what shall be fitt to be done in Order to the preservation of the peace of this province Given under my hand & seale the 13th day of July in the first yeare of his Lopps Dominion &c. Annoq Dom. 1676.

Jesse Wharton

Ordered That Edward Jones of St Jeromes be allowed Out of the publique five hundred pounds of tobacco p month he finding himselfe a horse and to goe upon all messages as the Deputy Governour & Councell shall thinke fitt, and if extraordinary Occasion require that the said Jones be impowered to impresse a horse.

Ordered that twenty or thirty of Capt Darnalls men be appointed to keepe Guard at Mattapeny for the Safety thereof, and be allowed Out of the publique.

Then came the great men of Choptico and informed the Deputy Governour and Councell of the death of their King, and desired the same amity as formerly with them might be continued & that untill they choose another King they are ruled by their Great men & Speaker, which was consented to by the Deputy Govrnor & Councell.

Lib. R. R.

Proclamation by the Lord Proprietary.

fforasmuch as the province is dayly threatened to be invaded by the Indians, and the Inhabitants of this province lyeing so dispersed, and that in many places they are in so small numbers that they are utterly unable to defend themselves, To the end that the people may in some reasonable manner be secured and that the Enemy may not gaine too much ground of us. Wee doe by the advise of Our Deputy Leivtenant and Councill Order the Inhabitants of S^{t} Maries Calvert Ann Arundell Baltemore. Charles and Cecill Countyes to infort themselves in their houses, and into the said fforts to draw any persons able to beare Armes not exceeding ten men in number unlesse they be Servants really purchased and bona fide paid for by the master of the house where such ffort shall be. And in regard drawing greater numbers then ten into any One house will undoubtedly give too much ground to the Enemy upon any invasion that may happen, Wee doe further with the advise of Our said Deputy & Councell strictly Charge and Com̄and all masters of houses where such fforts shall be, not to entertaine any greater number then ten men able to beare Armes into any of their said fforts or houses upon paine of being proceeded against as mutinous and Seditious persons gathered together with fforce contrary to the Knowne Law of this province and the Law of the Kingdome of England, unlesse the men now belonging as Servants as aforesaid to the said masters or now sojourning in the said
p. 79 houses of the said masters doe exceed or amount to a greater number then ten men able to beare Armes. And to the intent that Our pleasure herein be the Speedier putt in execution, and the reasonable Convenience of the Inhabitants as well as their Security may be the better provided for Wee doe hereby further Charge and Com̄and the Com̄issioners of every the respective Countyes aforesaid together with every Captaine of the militia of such respective Countyes as aforesaid within ten dayes next after the publication hereof in each respective County to agree upon some certaine houses in each Hundred or Division in each respective County as aforesaid to which every ten of the respective Inhabitants able to beare Armes by name certainly by them to be sett downe shall upon any invasion of the Enemy certainly repaire, And hereof all persons concerned are peremptorily to take notice as they will answer the Contrary at their perills Given at S^{t} Maries under Our Great Seale of this Our province of Maryland, this 13th day of July in the first yeare of Our Dominion Annoq Dom. One thousand six hundred Seventy six.

Maryland Ss. Att a Councell held at S[t] Maries Thursday the twentith day of July in the first yeare of the Dominion of Charles Lord Baltemore &c Annoq Dom. 1676. Lib. R. R.

Present

The Hon[ble] { Jesse Wharton Esq[r] Deputy Leivtenant & Deputy Governo[r]; Philip Calvert Esq[r] Chancellour; W[m] Calvert Esq[r] Principall Secry; Thomas Taillor Esq[r] } Councello[rs]

Jn[o] Blomfeild Cl.

Ordered that the Deputy Leivtenant appoint whom he shall thinke fitt Out of the ffoot Souldiers in any Company to serve as Troopers or on horsebacke, and what persons the said Deputy Leivtenant thinke fitt to appoint Out of the horsemen to serve on ffoot upon such Occasion as shall hereafter require.

Ordered that Thomas Taylor Sheriff of Dorchester County Robert Winsmore W[m] fford W[m] Dorrington & Daniel Clarke of the same County Gent be sent for to attend the Deputy Gov[r]no[r] and Councell this day fortnight being the third day of August next wheresoever they shall then be.

Ordered that Major W[m] Boreman give notice to the Overseers of Charles County & S[t] Maries County that imediately they cause the passage Over Zachaija Swamp to be made passable both for horse and ffoot, and that the Comissioners of the same Countyes, see that the same passage be yearly repaired and amended as Occasion, shall from time to time require

Maryland Ss. At a Councell held at S[t] Maries ffriday the 21[th] of July 1676

Present

The Hon[ble] { Jesse Wharton Esq[r] Deputy Leivtenant & Deputy Governour; Philip Calvert Esq[r] Chancellour; W[m] Calvert Esq[r] Principall Secry; Baker Brooke Esq[r] Survey[r] Gen[ll]; Thomas Tailler Esq[r] } Councello[rs]

Jn[o] Blomfeild Cl.

Ordered that Major John Douglas doe take into his Custody all the unfixt Armes now in the possession of Philip Lynes of Portobacco or others in the same County by colour or p[r]tence of plunder purchased at the Susquehanough ffort and then to cause to be fixed and afterwards to see them secured for his L[opps] use. p. 80

And it is further Ordered that the Severall Collonels in the Severall & respective Countyes doe take into their Custody all Gunns belonging to the publique that are or have been

Lib. R. R. left in any ꝑsons hands whatsoever since the last march against the Susquehanough or by the Rangers & them to see fixt and prserved for his Loppe Use.

Ordered that all Chirurgeons to the regiments On ffoot & Troopers be paid Out of the publique for all such Chirurgery meanes they shall expend in the Country's Service. And what the ffarriers shall doe be likewise allowed Out of the publiq.

Ordered that Capt John Allen doe prohibite all or any armed men whatsoever from entrying the ffort at Mattawoman without leave from the Deputy Governour & Councell and that in case he meete any men in Armes when he is ranging who have not Cōmission from the Goverment of this Province or lycence from the Governt of this Province to enter this province (in case they belong to any other Goverment) that he endeavour to oppose their march into or through this province if he be able, & if he be not able to hinder their entrance or oppose their march through this Province, that he make an honourable retreate to Mattawoman ffort, or other place as the Occasion shall require, & advantage shall offer & from thence to Certifie the Deputy Leivtenant & Councell of his whole proceedings & the force of the Enemy & so to attend further Orders from the Deputy Leivtenant.

At a Councell held at Mattapanye July the 27th 1676

Present

Jesse Wharton Esqr Deputy Leivt & Deputy Govrnor
The Honble { Philip Calvert Esqr Chancellour, Wm Calvert Esqr Principall Secry, Baker Brooke Esqr Surveyr Genll } Councellors

Jno Blomfeild Cl.

Ordered that the Councell meet here On thursday next being the third day of August.

PROCEEDINGS

OF THE

COUNCIL OF MARYLAND.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

CECILIUS CALVERT,
Governor.

THOMAS NOTLEY,
Deputy Governor.

1676–1678.

Maryland Ss. At a Councell held at Popes ffreehold upon tuesday the first day of August in the first yeare of his L^opps Dominion &c Annoq Dom. 1676. Lib. R. R. p. 81

Present

The Hon^ble { Philip Calvert Esq^r Chancellour, W^m Calvert Esq^r Principall Secry, Baker Brooke Esq^r Survey^r Gen^ll } Councello^rs
Thomas Notley Gent.
Jn^o Blomfeild Cl Consil.

Then were his L^opps instructions to Coll Jesse Wharton late Deputy Leiv^t & Deputy Governour of this Province deceased read & Ordered that the same together with his L^opps Comission to the said Coll Wharton of Deputy Leivtenant & Deputy Gov^rnour Comission for the Councell, Comission for the Cheife justice & justices & M^r Thomas Notley his Comission from the said Coll Wharton pursuant to the said Instructions be recorded and delivered to the said M^r Thomas Notley

The tenor of which said Comissions & instructions follow in these words viz.

Ch: Baltemore

Charles Absolute Lord and proprietary of the provinces of Maryland & Avalon Lord Baron of Baltemore &c To all the Inhabitants and people of Maryland and all others to whom these presents shall come or any wayes concerne Greeting Whereas Our present affairs doe require Our leaveing this Our province for some months and that dureing Our absence out of Our said province Wee have thought fitt & requisite the Cheife Comand should be in Our deare Sonn Cecill Calvert Esq^r Know yee therefore that wee have given granted and by these presents doe give and grant unto Our said Deare Sonn the Office of Leivtenant Generall Cheife Captaine Cheife Governour and Comander and cheife Admirall both by Sea & Land of Our Province of Maryland. And of all Our Islands Territories and Dominions whatsoever And of all & Singular Our Castles fforts ffortresses, ffortifications munitions Shippes and Navyes in Our said Province, Islands Territories and Dominions aforesaid And him the said Cecill Calvert Wee doe make Ordaine and constitute Leivtenant Generall Cheife Captaine and Cheife Admirall both by Sea and Land Cheife Governour and Comander of Our said province, Islands Territories and Dominions and of all the Castles fforts Navyes Shipps places and things aforesaid by these

Lib. R. R. Presents To have hold Occupy enjoy and exercise the said Office of Leivtenant Generall Cheife Captaine and Cheife Admirall Cheife Governour and Cheife Comander as aforesaid with the appurtenences unto Our said Deare Sonn Cecill Calvert by his Deputy in Our absence by us to be appointed.

p. 82 And wee doe likewise give and grant unto Our said Deare Sonn, full power and authority dureing the time of his haveing holding and enjoyeing the said Office before mentioned by his Deputy and Officers by us to be appointed to Levy muster and trayne all Sorts of men of what Condition, or wheresoever borne in Our said province & Dominions for the time being remaineing. And in case of Insurrections assaults or approaching of any Enemy or Enemyes pirate or pirates or other Robbers to make Warr, and to pursue such Enemy or Enemyes pirates or Robbers as well by Sea as Land and to vanquish and take them, and being so taken to putt them to death by the Law of Warr or to Save them at his pleasure. And by his Deputy by us to be appointed to doe all & every thing which unto the Charge and Office of a Captaine Generall of an Army or Admirall of a ffleet belongeth. And likewise in case of any Rebellion, Tumult, or Sedition, either upon the Land within Our said Province and Dominions or upon the Seas to exercise Martiall Lawes against all rebellious mutinous or Seditious ꝑsons who shall refuse to Submitt themselves to Our Goverment or to serve in the Warrs, or shall fly to the Enemy or forsake their Ensignes or be Loyterers or straglers or otherwise howsoever offending against the Law Custome or Discipline Military as freely and in as ample manner and forme as any Captaine Generall of an Army or Admirall of a Navy by virtue of his Office might or hath accustomed to use the same. And further Wee doe give and grant unto Our said Deare Sonn full power and authority dureing the time of his exercise of the said Office by his Deputy by us to be appointed as aforesaid for us and in Our name and as often as his said Deputy shall thinke fitting from time to time to pardon remitt or release whether before judgment or after all and all manner of Criminall Offences against the Lawes of Our said Province and Dominions or any of them and also all and all manner of paines penalties & forfeitures incurred or to be incurred by any person or persons Bodies politique or Corporate within Our said province and Dominions or any of them for or by reason of any Crime or Crimes Offence or Offences comitted or to be comitted against any of the Lawes Ordinances or Orders of Our said Province heretofore made or hereafter to be made whatsoever or howsoever as fully and amply to all intents constructions and purposes as Wee Our Selfe may doe being personally pʳsent in

Our said Province. And also for us and in Our name and as Lib. R. R.
often as his said Deputy shall find it necessary from time to
time to call Assemble and Sum̄on any Generall Assembly or
Generall Assemblyes of the ffreemen of Our said province or
of their Deputyes or Delegates for the giveing of the advice
assent and approbation of the ffreemen of Our said province
to such Lawes and Acts as shall be by us at any time
Ordained made and enacted and under Our Seale published p. 83
and unto which the advice assent and approbation of the ffree-
men of Our said province shall be at any time requisite &
necessary and the said Generall Assembly and Assemblyes so
from time to time called Assembled and Sum̄oned, or to be
called assembled or sum̄oned from time to time when and as
often as his said Deputy shall judge it necessary in Our name
to prorogue or otherwise to dissolve at his said Deputyes
pleasure. And likewise for us and in Our name and in Our
absence from Our said province to ordaine make and enact
by and with the advice assent and approbation of any such
Assembly or assemblyes so called assembled or sumoned as
aforesaid to be of force untill Wee Our Selfe or Our heirs or
assignes Lord and Proprietary Lords and Proprietaryes of the
said province shall declare and publish or cause to be declared
or published within Our said province his their or some of
their particular dissent or dissents disagreement or disagree-
ments to the same under Our his their or some of their Seale
or Seales so as the said Lawes and Acts so to be Ordained
made & enacted be consonant to reason and be not repugnant
or contrary but as neer as reasonably may be agreeable to the
Lawes Statuts and Customes of the Kingdome of England
and so as the same be no wayes repugnant unto or destruc-
tive of Our Rights priviledges or jurisdictions, or to the disin-
herizon of us Our heires or assignes Lords and Proprietaryes
of the said province, or contrary to Our or their power Gov-
erment or Dominion or contradictory to a certaine Act of
Assembly heretofore made in the nineteenth yeare of the
Dominion of Our deceased ffather of Noble memory Annoq
One thousand six hundred and fifty intituled An Act concern-
ing Religion And likewise wee doe further give and grant
unto Our said Deare Sonn dureing the time of his exercise of
the said Office aforesaid full power and authority from time
to time by his Deputy to make Constitute ordaine and pub-
lish in Our name such wholsome reasonable and profitable
Ordinances Edicts and proclamations within Our said Prov-
ince for the better governing of the people in Our said Prov-
ince and with such reasonable paines and penalties to be
therein expressed as Wee Our Selfe may lawfully doe being
personally present in Our said Province, And also full power

Lib. R. R. and authority to direct and appoint for us and in Our name to passe under the great Seale of Our said Province such Grant and Grants of such proportion and proportions of land within Our said province to such person or persons and for such estate and estates and with such priviledges and immunityes and under such Conditions as were formerly by Our deceased ffather directed or which wee shall from time to time hereafter direct by any warrant or warrants under Our hand & Seale at Armes, So as the said warrant and warrants be duly entred
p. 84 and registred and the said Lands duly Surveyed, and the Surveys thereof returned and all and every the necessary rules Orders circumstances heretofore by Our deceased ffather given or appointed in relation to the Surveying of such Lands and to the entring registring and attesting the Surveys thereof and all necessary circumstances touching such Grants Surveys and warrants heretofore by Our deceased ffather given or appointed be first duly observed and performed. Willing and hereby requireing that all the abovementioned powers and authorityes by these presents given and granted to Our said Deare Sonn be from time to time (as Occasion shall require) exercised performed and executed for Our said deare Sonn (by reason of his tender yeares) by Our trusty and welbeloved Jesse Wharton Esq^{r} One of Our Councell, whom by these p^{r}sents wee constitute authorize and appoint Our Deputy Leivtenant and Deputy Governour under Our said deare Sonn dureing Our absence Out of Our said Province or untill Wee or Our heirs shall Signifie Our or their pleasures to the Contrary. Hereby giveing and granting unto the said Jesse Wharton the Custody Goverment and Comand of Our said province as Our Deputy Leivtenant and Deputy Governour under Our said deare Sonn dureing Our said absence And also by these presents impowering the said Jesse Wharton as Our Deputy under Our said deare Sonn to exercise and execute all the severall powers & authorityes abovementioned, Willing and by these presents requireing the said Jesse Wharton to advise as there shall be Occasion with those who already are or hereafter shall be of Our Councell here for the time being upon all emergent Occasions touching concerning or relateing unto the good Goverment of Our said province and people here. Given at Mattapenny under Our hand and great Seale of Our said province the sixtenth day of June in the first yeare of Our Dominion over Our said province and in the yeare of Our Lord God One thousand six hundred Seventy six.

[Commission to Councillors.] Lib. R. R.

Ch: Baltemore

Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c To Our trusty & welbeloved Jesse Wharton Esq^{r} Our Deputy Leivtenant and Deputy Governour of Our said province of Maryland and of the Dominions and Territories thereunto belonging under Our dearly beloved Sonn Cecilius Calvert Esq^{r} Our Leivtenant Generall and Cheife Governour of Our said province. And to all others of Our said province of Maryland, and of the Dominions and Territories aforesaid Greeting Know yee that wee have constituted assigned and appointed and doe by these presents constitute assigne and appoint Our Deare Unckle Philip Calvert Esq^{r} Our Chancellour of Our said province, Our deare Couzin William Calvert Esq^{r} Our p. 85 principall Secretary of Our said province Our deare Couzin Baker Brooke Esq^{r} Our Survey^{r} Generall of Our said province Our trusty and welbeloved Henry Coursey Esq^{r} Our trusty and welbeloved Samuel Chew Esq^{r} and Our trusty and welbeloved Thomas Taillour Esq^{r} to be Our Privy Councellours and to be of Our private secrett and continuall Councell to us and to Our Deputy Leivtenant and Deputy Governour for the time being of Our said province for and in relation to all affairs of State, and for and in relation to the makeing of Peace and Warr and the good Governance and ordering of all Our affairs relateing to Our said Province dureing our pleasure And wee doe further assigne constitute and appoint that they the said Philip Calvert William Calvert Baker Brooke Henry Coursey Samuel Chew and Thomas Taillour or any three or more of them (of which wee will that Our said Chancellour or Our said Principall Secretary shall be One) shall in Our absence together with Our Deputy Leivtenant and Deputy Governour for the time being of Our said province be a full Sufficient and compleate Councell for the ends and purposes aforesaid. Willing and by these p^{r}sents requireing and firmly enjoyning all persons of Our said province and Dominions aforesaid that in all things relateing to the premisses they give Obedience unto Our said Councell, and to all such Orders and Com̄ands as shall from time to time be made and given by Our said Councell or any three or more of them (of which Our said Chancellour and principall Secretary or One of them to be one) by and with the consent and approbation of us or of Our Deputy Leivtenant and Deputy Com̄ander of Our said province for the time being, so as such Orders and Com̄ands be consonant to reason and be not repugnant or contrary to the Lawes of Our said province nor repugnant or contrary unto but as neere as conveniently may

Lib. R. R. be agreeable to and with the Lawes Statuts and customes of the Kingdome of England Wittnesse Our Selfe at Mattapenny the sevententh day of June in the first yeare of Our Dominion over Our said province of Maryland and in the yeare of Our Lord God One thousand six hundred seventy six.

[Commission to Justices.]

Ch. Baltemore

Charles Absolute Lord and proprietary of the provinces of Maryland and Avalon Lord Baron of Baltemore &c To all and singular Our Sheriffs and Cheife Officers and all others of Our province of Maryland aforesaid Greeting Whereas aswell for Our Owne conservation as for the conservation of the peace and tranquility of Our said province and to the end that justice and Equity may be duly & impartially administred to all and every person and persons bodies politique and corporate of and within Our province of Maryland aforesaid Wee have constituted assigned and appointed and doe hereby constitute assigne and appoint Our trusty and well beloved
p. 86 Chancellour Jesse Wharton Esq^{r} Our Deputy Leivtenant and Deputy Governour of Our said Province of Maryland under Our most deare Sonn Cecilius Calvert Esq^{r} Our Leivtenant Generall and Cheife Governour of Our said province of Maryland and of all Our Dominions and Territories thereto belonging to be Our Cheife justice of Our provinciall Court of Our said Province of Maryland dureing Our pleasure aswell for the holding of all pleas touching and relateing unto the conservation of us and the conservation of the peace of Our said province as for the holding of pleas touching Our Rights and Revenues and of Comon pleas And likewise for the determineing of all matters of Equity for which any releife is shall or may be justly or reasonably desired in Our said Court And whereas Wee have likewise constituted assigned and appointed and doe by these presents constitute assigne and appoint Our deare Unckle and Councellour Philip Calvert Esq^{r} Our Chancellour of Our said province Our deare Couzin William Calvert Esq^{r} Our Councello^{r} and principall Secretary of Our said province Our deare Couzin Baker Brooke Esq^{r} Our Councellour and Surveyour Generall of Our said province Our trusty and welbeloved Henry Coursey Esq^{r} Our trusty and welbeloved Councellour Samuel Chew Esq^{r} Our trusty and welbeloved Councellour Thomas Taillour Esq^{r} Our trusty and welbeloved Councellours to be justices of Our said Court for the holding the pleas aforesaid and for determining of matters of Equity aforesaid dureing Our pleasure Willing and by these p^{r}sents assigning constituteing and appointing that

Our said Cheife justice and Our said justices or any fowre or more of them (of which Our said trusty and welbeloved Councellour Jesse Wharton Esq^{r} and Our said Unckle and Secretary or one of them to be One) shall be a Sufficient Court for the determineing the pleas and matters of Equity aforesaid Wee doe hereby require and comand you and every of you in and upon the ffaith and ffidelity which you Owe and in which you stand bound and holden unto us firmly enjoyning that in all things touching the Office and Offices of justice and justices aforesaid and to the conservation of us, Our peace, and the peace of Our said province you be fully and wholly Obedient and assisting unto Our said Cheife justice and justices respectively Wittnesse Our Selfe at Mattapenny the sevententh day of June in the first yeare of Our Dominion over Our said province of Maryland and in the yeare of Our Lord God One thousand six hundred Seventy Six Lib. R. R.

Ch: Baltemore.

Instructions Orders and Authorities to be observed and executed by Our Deputy Leivtenant Collonel Jesse Wharton dureing Our absence Out of Our Province of Maryland.

Charles Absolute Lord and proprietary of the provinces of Maryland and Avalon Lord Baron of Baltemore &c To Our Trusty and well beloved Jesse Wharton Esq^{r} Our Deputy Leivtenant of Our said Province and of Our Dominions thereunto belonging Greeting Wee doe hereby will require appoint and authorize you to Observe performe and execute the instructions directions and Authorities hereafter mentioned in such manner and forme as the same are hereby Ordered and directed to be Observed performed and executed, that is to say p. 87

ffirst that in case you shall happen to find your Selfe sicke or in danger at any time of death, you take care by your last will or other Instrument to appoint Our trusty and welbeloved ffreind Thomas Notley Gentleman to Succeed you in the Office and Offices of Goverment of and in Our said Province untill Wee shall appoint and authorize some other person to exercise and execute the said Offices And Wee doe hereby allow off, authorize and appoint the said Thomas Notley whom you shall so appoint as aforesaid to exercise and execute all and every the said Office and Offices powers and authorities whatsoever after your death untill Wee shall nominate and appoint some other person or persons to exercise and execute the same.

Lib. R. R. Item Wee doe hereby give you full power and authority for us and in Our name in case of the death of any Officer or Officers of Our said province or of any Our privy Councello^{r} or privy Councellours to appoint some other fitting person or persons to execute the Office or trust of such person or persons so dyeing as aforesaid, untill Our Will shall be declared to the contrary. And Wee doe hereby authorize such person and persons so by you to be appointed to execute and exercise such Office and Offices according to such your appointment Given under Our hand and great Seale of Our province this sixtenth day of June in the first yeare of Our Dominion over Our said province Anno Domini 1676.

[Powers to Thomas Notley.]

To all persons to whom these presents shall Come I Jesse Wharton Esq^{r} Deputy Leivtenant of the province of Maryland under the Hon^{ble} Cecilius Calvert Esq^{r} Sonn and heire apparent of the Right Hon^{ble} Charles Lord Baltemore Lord and Proprietary of the said province and his L^{opps} Leivtenant Generall and Cheife Governour of the said Province send Greeting in Our Lord God everlasting Whereas the Right Hon^{ble} Charles absolute Lord and Proprietary of the provinces of Maryland and Avalon Lord Baron of Baltemore &c by his Comission and publique Instrument under his hand and under the great Seale of the said Province of Maryland beareing date the sixtenth day of June in the first yeare of his said L^{opps} Dominion over the said Province Annoq Dom. 1676 now last past (his L^{opps} then p^{r}sent affairs requireing his leaveing the said Province for some months and that dureing his absence Out of the said province he had thought fitt and requisitt the
p. 88 Cheife Comand should be in his deare Sonn Cecil Calvert Esq^{r}) he the said Charles Lord Baltemore Lord Proprietary as aforesaid did by these p^{r}sents give and grant unto his said deare Sonn Cecilius the Office of Leivtenant Generall Cheife Captaine Cheife Governour & Comand^{r} and cheife Admirall both by Sea and Land of the said province of Maryland and of the Islands Territoryes and Dominions whatsoever to the same belonging and of all and singular his L^{opps} Castles fforts ffortresses ffortifications munitions Shipps and Navyes in the said province Islands Territories & Dominions aforesaid and him the said Cecil Calvert Esq^{r} his L^{opp} did Ordaine and constitute Leivtenant Generall Cheife Captaine and Cheife Admirall both by Sea and Land Cheife Governour and Comander of the said province Islands Territories and Dominions and of all the Castles fforts Navyes Shipps places and things aforesaid by those presents To have hold Occuppy

enjoy and exercise the said Office of Leivtenant Generall Lib. R. R.
Cheife Captaine and cheife Admirall cheife Governour and
cheife Comander as aforesaid with the appurtenences unto the
said Cecil Calvert by his Deputy in his L^opps absence by his
L^opp to be appointed And his L^opp did likewise give and grant
unto his said deare Sonn full power and authority dureing the
time of his haveing holding and enjoying the said Office
before mentioned by his Deputy and Officers by his L^opp to
be appointed to levy muster and trayne all sorts of men of
what condition or wheresoever borne in the said province and
Dominion for the time being remaineing And in case of
Insurrections Assaults or approaching of any Enemy or
Enemyes pirate or pirates or other Robbers to make Warr
and to pursue such Enemy or Enemyes pirates or Robbers
aswell by Sea as Land and to vanquish and take them and
being so taken to putt them to death by the Law of Warr or
to save them at his pleasure.

And by his Deputy by his L^opp to be appointed to doe all
and every thing which unto the charge and Office of a Cap-
taine Generall of an Army or Admirall of a fleet belongeth
And likewise in case of any rebellion Tumult or Sedition
either upon the Land within the said Province and Dominions
or upon the Seas to exercise martiall Lawes against all rebel-
lious mutinous or seditious persons which shall refuse to sub-
mitt themselves to his L^opps Goverment or to serve in the
Warrs or shall fly to the Enemy or forsake their Ensignes or
be Loyterers or Straglers or otherwise howsoever Offending
against the Law Custome or discipline Military as freely and
in as ample manner and forme as any Captaine Generall of
an Army or Admirall of a Navy by virtue of his Office might
or hath accustomed to use the same And further his said L^opp
did give and grant unto his said Deare Sonn full power and
authority dureing the time of his exercise of his said Office by p. 89
his Deputy by his L^opp to be appointed as aforesaid for his
L^opp and in his name and as often as his said Deputy shall
thinke fitting from time to time to pardon remitt or release
whether before judgment or after all and all manner of Criminall
Offences against the Lawes of the said Province and Domin-
ions or any of them and also all & all manner of paines pen-
altyes & forfeitures incurred or to be incurred by any person
or persones Bodies politique or Corporate within the said
Province and Dominions or any of them for or by reason of
any Crime or Crimes Offence or Offences committed or to be
Committed against any the Lawes Ordinances or Orders of
the said province heretofore made or hereafter to be made
whatsoever or howsoever as fully and amply to all intents
constructions and purposes as his L^opp himselfe might doe

Lib. R. R. being personally present in the said Province. And also for his said L^opp^ and in his name and as often as his said Deputy shall ffind it necessary from time to time to call assemble and Sum̄on any Generall Assembly or Generall Assemblies of the ffreemen of the said province or of their Deputyes or Delegates for the giveing of the advice assent and approbation of the ffreemen of the said province to such Lawes and acts as shall be by his L^opp^ at any time Ordained made and enacted and under his L^opps^ Seale published and unto which the advise assent and approbation of the ffreemen of the said Province shall be at any time necessary and requisite, and the said Generall Assembly and Assemblyes from time to time called assembled and sum̄oned or to be called assembled or summoned from time to time when and as often as his said Deputy shall judge it necessary in the name of his L^opp^ to prorogue or otherwise to dissolve at his said Deputyes pleasure. And likewise for his said L^opp^ and in his name and in his absence from his L^opps^ said province to Ordaine make and Enact by and with the advice assent and approbation of any such Assembly or Assemblyes so called assembled or summoned as aforesaid to be of force untill his said L^opp^ or his heirs or assignes Lord and Proprietary or Lords and Proprietaryes of the said Province shall declare and publish or cause to be declared or published within the said province his their or some of their particular dissent or dissents disagreement or disagreements to the same under his their or some of their Seale or Seales, So as the said Lawes and Acts so to be Ordained made and enacted be consonant to reason and be not repugnant or contrary but as neare as reasonably may be agreeable to the Lawes Statuts and Customes of the Kingdome of England, and so as the Same be no wayes repugnant unto or destructive of his L^opps^ Rights priviledges or jurisdictions or to the disinherizon of his L^opp^ his heirs or assignes Lords and Proprietaryes of the said Province or contrary to his L^opps^ or their power Goverment or Dominion, or contradictory to a certaine Act of Assembly heretofore made in the ninetenth yeare of the Dominion of Cecilius his L^opps^ deceased
p. 90 ffather of noble memory Annoq Dom̄ One thousand Six hundred and fifty intituled An Act concerning Religion And his said L^opp^ did likewise further give and grant unto his said Deare Sonn dureing the time of his exercise of the said Office aforesaid full power and authority from time to time by his Deputy to make Constitute and Ordaine and publish in his L^opps^ name such wholsome reasonable and profitable Ordinances Edicts and Proclamations within the said Province for the better Governing the people within the said province and with such reasonable paines and penaltyes to be therein

expressed as his said L^opp himselfe might lawfully doe being Lib. R. R.
personally present in the said Province. And also full power and authority to direct and appoint for his said L^opp and in his name to passe under the great Seale of the said Province such grant and grants of such proportion and proportions of land within the said province to such person or persons and for such Estate and estates and with such priviledges and immunityes and under such Conditions as were formerly by his L^opps said deceased ffather directed, or which his L^opp should from time to time hereafter direct by any warrant or warr^ts under his hand and Seale at Armes so as the said warrant & warrants be duly entered and registred and the said lands duly Surveyed and the Surveyes thereof returned and all and every the necessary rules Orders circumstances heretofore by his L^opps said deceased ffather given or appointed in relation to the Surveying of such Lands and to the entrying registring and attesting the Surveys thereof, and all necessary circumstances touching such grants surveys and warrants heretofore by his L^opps said deceased ffather given and appointed be first duly observed and performed. Willing and thereby requireing that all the abovementioned powers and authorityes by those presents given and granted to his L^opps said Deare Sonn should be from time to time (as Occasion should require) exercised performed and executed for his L^opps said Deare Sonn (by reason of his tender yeares) by me the said Jesse Wharton whom by those presents his L^opp did constitute authorize and appoint his Deputy Leivtenant and Deputy Governour under his said Deare Sonn dureing his L^opps absence Out of the said Province or untill his L^opp or his heirs should signifie his or their pleasures to the contrary. Thereby giveing and granting unto me the said Jesse Wharton the Custody Goverment and Comand of his L^opps said province as his L^opps Deputy Leivtenant and Deputy Governour under his said deare Sonn dureing his L^opps said absence. And also by those presents impowering me the said Jesse Wharton as his Deputy under his said deare Sonn to exercise and execute all the Severall powers and authorityes abovementioned Willing and by those presents requireing me the said Jesse Wharton to advise as there should be Occasion with those who already are or hereafter shall be of his L^opps Councell here for the time being upon all emergent Occasions touching concerning or relateing unto the good Goverment of the said Province and people here As by the said Comission p. 91
& Instrument may more fully and at large appeare. And whereas also his said L^opp Charles Lord Baltemore by one other Comission under the great Seale of the said Province beareing date the Sevententh day of June in the said first

Lib. R. R. yeare of his said L^{opps} Dominion &c Annoq Dom 1676 aforesaid aswell for his L^{opps} conservation as for the conservation of the peace and tranquility of the said Province and to the end that Justice & Equity might be duly & impartially administred to all and every person and persons Bodies politique and Corporate of and within the said Province of Maryland Did also Constitute assigne and appoint me the said Jesse Wharton to be Cheife justice of his L^{opps} Provinciall Court of the said Province dureing his L^{opps} pleasure aswell for the holding of all pleas touching or relateing unto the conservation of his L^{opp} and the conservac$\bar{o}$n of the Peace of the said Province, as for the holding of pleas, touching his L^{opps} rights and Revenues and of Co$\bar{m}$on pleas, and likewise for the determining of all matters of Equity for which any releife is or shall be or may be justly or reasonably desired in the said Court. And whereas also his said L^{opp} Charles Lord Baltemore did by the said last recited Co$\bar{m}$ission constitute assigne and appoint his deare Unckle and Councellour Philip Calvert Esq^{r} his L^{opps} Chancellour of the said Province, his deare Couzin and Councellour W^{m} Calvert Esq^{r} his Principall Secretary of the said Province his deare Cousin Baker Brooke Esq^{r} his Councellour & Survey^{r} Generall of the said Province, his trusty and welbeloved Henry Coursey Esq^{r} his trusty and welbeloved Councellour Samuel Chew Esq^{r} His trusty and welbeloved Councellour Thomas Taillour Esq^{r} to be justices of his L^{opps} said Court for the holding the pleas aforesaid and for the determining of matters of Equity aforesaid Willing and by those presents assigning constituteing and appointing that the said Cheife Justice and the said Justices or any foure or more of them (of which I the said Jesse Wharton and the said Chancellour and Secretary to be one) shall be a Sufficient Court for the determineing the pleas and matters of Equity aforesaid As by the said last recited Co$\bar{m}$ission more at large may likewise appeare. And whereas likewise his said L^{opp} Charles Lord Baltemore did by his Instrument in writeing or writeing of Instructions and Orders under his hand and under the great Seale of the said Province beareing date the said sixtenth day of June aforesaid intituled Instructions Orders and authorityes to be observed and executed by Our Deputy Leivtenant Collonel Jesse Wharton dureing Our absence out of Our Province of Maryland, and to me the said Jesse Wharton directed, His said L^{opp} thereby did will require appoint and
p. 92 authorize me to Observe performe and execute the Instructions directions and authorityes hereafter mentioned in such manner and forme as the same were thereby Ordered & directed to be observed performed and executed that is to say ffirst That in case it should happen I should find my Selfe

sicke or in danger at any time of death that I should take Lib. R. R.
care by my last will or other instrument to appoint his L^opps
trusty and welbeloved ffreind Thomas Notley Gent to Succeed
me in the Office and Offices of Goverment of and in the said
province untill his L^opp should appoint and authorize some
other person to exercise and execute the said Offices. And
his L^opp did by the same Instrument of Instructions allow off
authorize and appoint the said Thomas Notley whom I should
so appoint as aforesaid to exercise and execute all and every
the said Office and Offices powers & authorities whatsoever
after my death untill his L^opp shall nominate & appoint some
other person or persons to exercise and execute the same And
his L^opp did thereby in like manner give mee full power and
Authority for him and in his name in case of the death of any
Officer or Officers of the said province or of any of his L^opps privy
Councell or privy Councellours to appoint other fitting person
or persons to execute the Office or Trust of such person or
persons so dyeing as aforesaid untill his L^opps Will should be
declared to the contrary And his L^opp did thereby authorize
such person and persons soe by me to be appointed to execute
and exercise such Office and Offices according to such my
appointment As by the same writeing or instrument of Instruc-
tions may likewise more at large appeare Now Know yee
That I the said Jesse Wharton being at the time of the Seale-
ing and executeing of these presents sicke and weake in body
but of good sound and perfect mind memory and understand-
ing (praised be almighty God for the same) Have in pursu-
ance of the Instructions Orders and Authorities to me given by
his said L^opp Charles Absolute Lord and proprietary of the
Provinces of Maryland and Avalon Lord Baron of Baltemore
&c by the said last recited writeing or Instrument of Instructions
aforesaid (nominated constituted authorized and appointed
and by these presents doe nominate constitute & appoint the
said Thomas Notley Gentleman (in case it shall please God
that I shall happen to dye dureing his L^opps absence out of this
province) imediately from and after the decease of mee the
said Jesse Wharton to Succeed me the said Jesse Wharton in
the Office and Offices of Deputy Leivtenant and Deputy
Gov^rno^r of the said province of Maryland under the Hon^ble
Cecilius Calvert Esq^r dureing his L^opps Absence Out of this
province or untill his said L^opp shall nominate appoint and
authorize some other person or persons to exercise and exe-
cute the said Offices of Goverment as aforesaid. And I doe
also by these presents authorize and impower (according to
my instructions aforesaid) the said Thomas Notley to exercise
and execute the said Office and Offices of Goverment as
Deputy Leivtenant Deputy Governour or Cheife justice as

Lib. R. R. p. 93 aforesaid (after my decease as aforesaid) and all the severall powers & authorities aforesaid in these p^r^sents mentioned and to me given as aforesaid in as full and ample manner as I my Selfe can and may doe by virtue of the severall Comissions Orders Instructions and Authorityes to mee by his said L^opp^ Charles Lord and Propry given and granted as aforesaid or by Virtue of any other Comission from his L^opp^ whatsoever. And the said Thomas Notley the said Office and Offices of Goverment to exercise and execute as aforesaid (after my decease as aforesaid) for so long and untill such time as his said L^opp^ Charles Lord Baltemore shall nominate and appoint some other person or persons to execute the same as aforesaid. Given under my hand & Seale at Armes this Seaven & twentith day of July in the first yeare of the Dominion of Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c. Annoq Dom. 1676:

Sealed Signed and delivered in the presence of us.
Henry Carew
Ro: Carvile.

Jesse Wharton (sealed)

Then was the said Thomas Notley Gentleman Sworne Deputy Leivten^t^ and Deputy Governour as aforesaid and One of his L^opps^ Privy Councell.

Ordered that there be a Comission granted unto Leivtenant John Peerce to be Cap^t^ of the Guard of the house at Mattapenny Sewall and that he have six horsemen and two files of ffoott under his Comand with a Sergeant and a Corporall, which said Comission issued the fifth day of this instant August.

Ordered that Cap^t^ Henry Darnall be desired to Suffer John Peerce his Leivtenant to take Out of his troop six such horse as he shall like off, to Guard his L^opps^ house at Mattapenny Sewell, untill further Order from the Deputy Leivtenant & Councell

The Deputy Governour and Councell thinke fitt that by reason accomodation cannot be had to accomodate them and the Delegates at the laying the Levy in October next at John Griggs's and they being Satisfied that by the Law the said Delegates are to be allowed their expences dureing the terme they shall attend at S^t^ Maries and not else where at the laying of the Levy at the time aforesaid, Doe order and appoint that the Councell and Delegates meet at the Citty of S^t^ Maries for the purpose aforesaid, any writs to the same Delegates heretofore sent to meet at John Griggs's notwithstanding.

Ordered that a new writt issue to Mr John Code instead of the Deputy Leivtenant to serve at the laying the Levy in October next as Delegate for St Maries County. Lib. R. R.

Ordered that for the Safety of the Records at St Maries there be deposited in the hands of Collonel Wm Calvert thirty pounds of powder and One hundred pounds of Shott Out of his Lopps Magazine. p. 94

[Appointment of Receivers and Collectors.]

Ch: Baltemore

Charles Absolute Lord & Propry of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c To all the Inhabitants and People within our said Province and all others whom these prsents shall any wayes concerne Greeting Whereas for the better Collecting Receiving & getting in our Rents, Port Dutyes, Impositions & all other profitts perquisites & just debts whatsoever in this our Province Itt is fitt and requisite some persons should be appointed & Empowered who from tyme to tyme may Recover Collect Receive & gett in the same Know ye therefore that we reposeing much trust & Confidence in our Right Trusty & welbeloved Thomas Notley & Benjamin Rozer Gentl have Empowered Constituted & Appointed And we doe hereby Empower Constitute & appoint the said Thomas Notley & Benjamin Rozer joyntly & severally our Receivrs & Collectors of all our Rents Port Dutyes Imposicons profitts perquisites debts & dues whatsoever in this our Province And to doe & performe all & every things which to the Office & place of Collector & Receiver doth belong or any wayes Apperteyne And upon Receipt of any Sume or Sumes of money Goods or Tobacco to us due or belonging Acquittances & discharges to make Seale & deliver Hereby Ratifying Confirming & Allowing all or whatsoever the said Thomas Notley or Benjamin Rozer or either of them shall doe or cause to be done by Vertue hereof, with full & ample power under them or either of them by Comission under their hands & Seales or under the hand & Seale of one of them to Constitute & Appoint such Sub Collectors & Receivers under them as they shall thinke fitt with like or lymitted power And the said Comissions or any of them to Revoake & Adnull att pleasure Willing & hereby Requiring our said Receivers & Collectors to call to an Account once every yeare all the Sheriffes of our severall & respective Countyes, & all others or Deputy Receivrs & Collectors who are hereby Required to give in their accounts accordingly And upon refusall to Accompt or delay of payment of what shall be due

Lib. R. R. to us from any person whatsoever or howsoever the said persons Debitors to us to Impleade & prosecute in our name Hereby also Comanding all & every our Officers & all the good people of our Province to be aiding & Assisting to our said Receivers & Collectors as becometh Willing also all our Judges Officers & Ministers of our said Province to allow of this power hereby by us Granted to the said Thomas Notley & Benjamin Rozer as a full sufficient & unquestionable Authority for them the said Thomas Notley & Benjamin Rozer or either of them to Recover all and singuler our just dues within our said Province Given under our hand &
p. 95 lesser Seale of our said Province of Maryland att our Citty of St Maryes the Thirteenth day of June in the first yeare of our Dominion over our said Province And in the yeare of our Lord God One Thousand six hundred Seaventy & Six.

At a Counsell held at the Deputy Governours Sunday the Sixth day of August 1676. Present

Thomas Notley Esqr Deputy Leivt & Deputy Governour
The Honble { Philip Calvert Esqr Chancellour, William Calvert Esqr Principall Secry, Baker Brooke Esqr Surveyr Genll } Counsellors

Then were two letters One from Mr Stiles of the 22th of July last and One from Capt Sibrey of the last of the same month produced by the Deputy Leivtenant and read which said letters were directed to the Honble Collonel Wharton (then) Deputy Governour. Also the Deputy Leivtenant Letter to the Honble the Chancellour concerning the contents of the said two letters was likewise then read, the tenor whereof followeth in these words Vizt

Augt the 4th 1676 Honble Sr Inclosed is two letters One from Mr Nathaniel Stiles, and the other from Jonathan Sibrey which brings intelligence of some Susquehannough Indians being at the head of the Bay and of more upon their march thither and of their desires and designes of a peace with Us & their intentions for St Maries for that purpose in case of protection all which appeares by the said Letters; my reflections upon which newes are as foll first that its pbable their hopes and Condition in Virga (from whence it is supposed they come, for to me its without doubt they were the Incendaries of the mischeifs there) proves desperate by either the neighbouring Indians there, being inclinable to a peace or likely to doe themselves no good by warr, Occasioned these Susquehannoughs to leave them and to returne to their old habitations, and likewise that they have made peace with their

Old Enemy the Senecas. As for their pretentions or intentions of a peace with us I thinke it to be matter of weighty Consideration, and requires mature deliberacōn in this juncture of affaires for these reasons 1 : Our neighbours the Virginians are so embroyled with Domestick and intestine troubles besides the Indian Warr that Wee can have no correspondency with the Goverment there. Lib. R. R.

2. Though Wee of this Province and those of Virginia be under two distinct Goverm^{ts} Yet Wee are both the Subjects of One Prince and ought to be aiding and assisting One to the other against a Comon Enemy that Seekes the ruine or destruction of Either and this Wee are bound to by Our Duty p 96 to God and Allegiance to Our King; and seeing it is probably p^{r}sumed that these Susquehannoughs have not only blowne the coales but made the fuel and the flame of that fire of troubles that now burnes in the breast and bowells of Our neighbours the Virginians to Our great Sorrow and greife, I suppose it a matter dubious and worthy good consultation to resolve or admitt of Peace with the said Susquehannoughs without correspondency from the Goum^{t} of Virginia and how and with whom that may be had at p^{r}sent I know not, But in my judgment it may be no wayes inconvenient to treate with these Indians and to that End to send them and Jacob Young a protection as is required in the enclosed letters, which you may please to doe forthwith, and send by the Messenger that brought this intelligence who is at Mattapany and mention the place of meeting the Indians and Interpreter which I thinke most convenient at M^{r} Murtyes, you may please likewise to Order notice to be given to the Gentlemen of the Counsell living up the Bay in Ann Arrundell County to be there present upon so considerable concerne. S^{r} if you in your wisdome thinke it necessary I would desire your Selfe and the Secretary and M^{r} Brooke to give y^{r} Selves the trouble of meeting at my house (for I am lame and troubled with a fflux which together with the multitude of my buisnesse much indisposes me to travell, being unable in a day or two after to settle myselfe in Order againe) as soone as conveniently you can before next Councell day by reason of the Emergency of the Occasions aforesaid

If y^{r} Hon^{r} shall deeme it any wayes unsafe to send a protection for the said Indians and Interpreter as aforesaid I shall desire you with the Secry and M^{r} Brooke to make what hast you can to my house to consult as above, and please to stopp the messenger at Mattapany with Order to stay there untill the result of the Counsell Thus in hast I take leave and Rem^{a}

Hon^{ble} S^{r}

I humbly pray you to comunicate the contents to the Coll als M^{r} Secry

Y^{r} humble Servant
Thomas Notley

Lib. R. R. I pray keepe the inclosed letters Safe that they may be pduced to the Counsell at next meeting I haveing no coppy of them & M^r^ Sibreys letter cont^a^ more then Indian newes on w^ch^ I have no time to reflect at p^r^sent

Y^rs^ ut Supra Tho: Notley.

Then was Coppy of the protection granted by the Hon^ble^ the Chancellour to Jacob Young and the Susquehanoughs read the tenor whereof followeth viz.

Suffer the bearer hereof Jacob Young the Interpreter and such of the Susquehannough Indians as shall be sent by them to treate with the Governour and Counsell of this province
p. 97 to come Safely to the house of Stephen Murty in S^t^ Maries County at any time within One month after the date of these presents and from thence Safely to returne to New Castle upon Delaware Bay after the said Treaty is Ended. Given under my hand and Seale this fourth day of August in the first yeare of his L^opps^ Dominion over this Province Annoq Dom 1676.

To all Officers both military
and Civill and all other people
of this Province of Maryland

Which said Protection being read the same was approved off by the Deputy Leivtenant & Councell here.

Ordered that a letter be sent to the Governo^r^ of Virg^a^ to give him notice that the Deputy Gov^r^nour & Councell here are upon makeing peace with the Susquehannoughs which may be for the Safety aswell of that Goverment as this province the tenor of which letter followeth viz.

S^r^

Wee have lately received intelligence from the Head of the Bay that the Susquehanough Indians have resided at their Old ffort about sixty miles above Palmers Island for so many months that they have now Corne fitt to roast.

That they shortly expect the remainder of their troopes, and as many of the Western Indians neer or beyond the Mountaines as they have been able to perswade to come to live with them. Wee are further informed that by the meanes of Collonel Andrewes the Governour of New Yorke a peace was made last Summer betweene them & their old Enemye the Cinigo's so that now they are at Ease and out of Our reach. This notwithstanding they have applyed themselves to Cap^t^ Edmund Cantwell the Deputy Governour of Newcastle upon Delaware and requested a peace and trade as

formerly with the English and in Order to it came with him Lib. R. R.
and Jacob Young Our old Interpreter to the house of M^ris
Margarett Penroy at the head of the Bay neere Palmers
Island and from thence sent to desire a passe to come downe
to S^t Maries to treate of a peace with the English in Generall.
The newes was not unwelcome to us and therefore wee have
sent them a Safe Conduct to come downe to treate with us of
which Wee thought Our Selves Obliged to give you notice
deeming a peace with them and all other Indians, if made
upon Safe and honourable termes to be One of the greatest
blessings of God can happen to us and the best & most
acceptable Service Wee can doe to his Majesty. And assure p. 98
your Selfe S^r That Wee shall never Condescend to any peace
with them but what shall equally secure all his Ma^ties Subjects
in these parts with Our Selves who are likely to be the prin-
cipall Treators. Wee have given them a months time to come
downe in Wherefore S^r if you have any particular matter to
offer to them in relation to the future security of the people
in your Goverment Wee humbly desire you will by some way
or Other within that time lett us Know it that Wee may be
able to serve you who are S^r

Y^r humble Servants
Thomas Notley
Philip Calvert
Will Calvert
Baker Brooke

August the 6^th 1676.

Then likewise Ordered that a letter be sent to his L^opp to lett him understand of the intended treaty with the Susquehanoughs and the affairs in Virginia the tenor whereof foll.

May it please y^r L^opp

At a Counsell held this day at Manahowicks Neck Wee have considered the Overture of Peace made by the Susquehanough Indians and deeming it a blessing from God unhoped for Wee thought it not to be Slighted, and therefore sent a pasport for them and Jacob Young the Interpreter to come to and returne Safe from the treaty to be held at Murtyes at any time within One month and Wee have this day also written to S^r W^m Berkeley and the Councell of Virginia to give him notice of this Overture of a peace made by the Indians and to assure him that Wee shall not condescend to any peace with them, but what shall be equally Safe and honourable to his Goverment as well as to your L^opps, desireing him likewise to Signifie unto us within the month whether he hath any thing in particular to offer at the Treaty In this posture my Lord your affairs stand now as to the Indian: but

Lib. R. R. as to the English under Coll Bacon, they stand not soe faire Wee have just cause to Suspect he intends to embroyle y^r^ province in a Warr and that he will make the pursuit of the Pascattaway Indians his pretence to enter it, and use young Giles Brent and his vaine title to his mothers Crowne and Scepter of Pascattaway (as his ffather used to phrase it) to sett on ffoot that Brutes Courage to head all the needy and desperate persons in those parts to Our disquiett The mischeife could not be so great as it is had wee armes for Our men, but Our want is so great that Wee cannot Omitt joyntly to begg of your L^opp^ to send in a Sufficient magazine of Armes and ammunition by the very first Shipp, and that you will otherwise encourage the merchant to send in armes to sell that the house Keeper may purchase Sufficient for the defence of his house and that the marching Army may be Supplyed at all times Out of y^r^ Magazine What quantity of Ammunition, may be enough wee will not undertake to direct,
p. 99 but Wee humbly conceive the Shott Ought to be one third muskett bullett, One third Carbine bullett and the other third high Swann Shott. Wee have nothing else to adde but Subscribe Our Selves

August the 6^th^ 1676. Your L^opps^ humble Serv^ts^
Thomas Notley
Philip Calvert
Will Calvert
Baker Brooke

Ordered that Quinsytasse the Speaker of the Pascattaway Indians and the Emperor of Mattawoman and such as their Great men as Major Boreman shall appoint be sent for to attend the Deputy Governour and Councell upon thursday sevenight next being the 17^th^ of this instant August at M^r^ Martyes and that the said Major Boarman be then present.

Ordered that Coll Calvert, Coll Brooke Coll Burges Leiv^t^ Coll Taillour Major Dowglas Cap^t^ Slye, Cap^t^ Darnall, Cap^t^ Bourne and Cap^t^ Allen Major Jowles and Major Lane imediately prepare their Souldiers under their Comand in a readinesse with their Armes amunition and provisions to be upon an houres warning to Observe such Orders as shall be given by the Deputy Governour and Councell, and that notice be given to the said Coll Majors and Captaines by the Secretary but such Speedy meanes he may.

Ordered that Comissions be drawne for M^r^ Henry Tripp and M^r^ Anthony Dawson to be Captaines of ffoot in Dorchester County under Collonel Vincent Lowe.

Ordered that Major Boreman and Cap^t^ Doyne next muster day agree upon the Division of that Company granted him

the said Boreman by Comission from his L^opp^ and to divide Lib. R. R.
equally in number. Major Boreman to have the first Choice, and all the Souldiers under the Comand of Cap^t^ Doyne are to yeild their due Obedience to him accordingly.

Ordered that there be a new Comission for the peace in Dorchester County granted.

The Deputy Governour and Councell doe appoint the next Councell day at M^r^ Murtyes upon thursday sevenight next being the 17^th^ of this instant Aug^t^

Maryland ss. At a Counsell held at Waterford at the house of Stephen Murty at New-Towne thursday the 17^th^ of August 1676.

Present

Thomas Notley Deputy Lievtennant & Deputy Gov^r^nour

The Hon^ble^ { Philip Calvert Esq^r^ Chancellour; W^m^ Calvert Esq^r^ Principall Secry; Baker Brooke Esq^r^ Survey^r^ Gen^r^all } Counsellours

Jn^o^ Blomfild Cl

Ordered that Cap^t^ John Peerce (for the Safety of his L^opps^ p. 100
house at Mattapenny) have under his Comand twelve horsemen fowre & twenty ffootmen two Sergeants and a Corporall.

Ordered that Proclamation be made by the Sheriff of S^t^ Maries County That if any Voluntiers will serve his L^opp^ in Guarding his house at Mattapany Sewell that they imediately list themselves under Cap^t^ John Peerce, untill further Order from the Deputy Gov^r^nour and Counsell.

Ordered that a Comission issue to Major Henry Jowles to take under his Comand the Company formerly belonging to Cap^t^ John Cobreath.

Ordered that all the Troopers or Comanders of horse Consist of forty five men besides Officers each Troop and no more, excepting Cap^t^ Darnalls Troop which is to consist of fifty men besides Officers to be raised Out of the ffoot Company in Calvert County.

Whereas the Deputy Leivtenant and Counsell are informed that Cap^t^ Samuel Bourne hath Seventy or eighty men in his Troop, they doe Order that he make Choice of forty five men besides his Leivtenant Cornett & Quarter-Master, and that the rest be under the ffoot Officers at the Clifts.

Ordered that Cap^t^ John Allens Troop continue ranging according to former Order.

Ordered that Cap^t^ John Peerce be allowed Out of the publique for provisions and drinke for the Souldiers under his Comand, as long as they shall be under his Comand at Mattapeny Sewall nine pounds of tobacco ꝑ day for each Souldier

Lib. R. R. from Munday next being the One and twentith day of this instant August.

Then came the Emperor of Pascattoway, the King of Mattawoman with severall of their Great men and these Articles follow by Major Boreman were Ordered to be proposed to them, viz.

1st Lett the Indians be told that there is a person called Collonel Bacon, who may perhaps come over into Maryland to annoy them and us, That he never had, nor ever shall have licence from us to come over to assault them, and that if the Virginians doe come over without Our licence they may defend themselves.

2. To the End there may be no Occasion given to the Virginians to come Over the Indians must be told, that they must by no meanes goe Over into Virginia neither publiquely or privately.

3: That the Virginians doe much Suspect them to have murthered and robbed in Virginia, and that if there be any amongst them that have either murthered or robb'd in Virginia they must deliver the murtherers to the Virginians.

4: That the Susquehanoughs have sent to us to seeke peace, and that if we doe thinke fitt to make peace with them Wee will certainly include them in the peace.

Since they are unwilling to have us make a peace with the Susquehanoughs though Wee include them, Also lett them be
p. 101 asked whether they will march with the English to the new ffort they have built, or otherwise to pursue the Susquehanoughs, and be obedient to the English Comanders with whom they shall be Ordered to march.

They answered by Choticke their Speaker that they were ready.

18th August 1676

The Deputy Govrnour and Counsell appoint thursday sevenight next to meet at St Maries, unlesse Occasion require to call the Counsell sooner.

Maryland ss. Att a Counsell held at Mattapeny Sewall tuesday the 29th of August in the first yeare of his Lopps Dominion &c Annoq 1676.

Present

Thomas Notley Esqr Deptv Leivt & Deputy Govrnor

The Honble { Philip Calvert Esqr Chancellour; Wm Calvert Esqr Principall Secry; Baker Brooke Esqr } Counsellours.

Jno Blomfeild Cl.

Ordered that Collonel Thomas Brooke dismisse his men now in Armes under his Comand, and that they goe home and be in a readynesse at an houres warning to attend such further Orders as the Deputy Governour and Counsell shall thinke fitt. Lib. R. R.

Ordered that Capt John Peerce be allowed Out of the publique for provisions and drinke to the Souldiers under his Comand at Mattapeny Garrison the summe of tenn pounds of tobacco p day for each Souldier, and the said Capt Peerce to give accomodations to Coasters as Occasion shall require.

Whereas the Deputy Governour the twentith day of August last past Sent Comissions to Collonel Thomas Brooke Coll Wm Burges Coll Samuel Chew and Coll Henry Coursey for the suppressing of all mutines and insurrections &c where they Comand. The Counsell doe approve and consent to the same.

Whereas by an Act made at the last Generall Assembly held at the Citty of St Maries Entituled An Act for the easement of the Inhabitants of this Province in Suits at Law for small debts It is amongst other things Enacted that an accompt Sworne to by the plantiff or a bill proved by his Evidence before any One justice of the Provinciall Court or any two justices of any County Court within this province shall be sufficient evidence to prove the said debts in any County Courts within this Province &c And whereas the said Act hath not provided any way to compell the wittnesses resideing Out of the County where the defendants shall reside to come to give evidence for proof of such bills as shall be sued in any fforreigne County: It is hereby Ordered that the Clerkes of the Provinciall Court and the Severall and respective County Courts within this Province where any wittnesse to any bill under fifteene hundred pounds of tobacco shall reside, shall from time to time upon request of any plaintiff, sueing for any such debt in any other County Court of this Province make Out his Lopps writt of Subpena Comanding such wittnesses to appeare before any One of his Lopps justices of the Provinciall Court or any two of his Lopps justices of the same County Court as the p. 102 said plaintiff shall require, That justice may not be delayed nor plaintiffs longer kept Out of their just debts and hereof all Clerkes are peremptorily to take notice.

By the Deputy Leivtenant
A Proclamation

fforasmuch as Wm Davyes late of the Clifts in Calvert County Wm Gent Giles Hasleham and John Pate with divers others of the same County haveing formerly contrived a certaine Seditious paper tending to the utter Subversion of his

Lib. R. R. L^opps^ Rule & Goverm^t^ the destruction of the peace of the good people of this province & the very constitution of Assemblyes which are the true preservers of the Liberties of the people & the ffountaine of Our Lawes & justice, did endeavour to publish the same under the specious pretences of the preservation of The Liberties of the ffreemen of this Province, though in truth they tended to the Ruine of the ffreehoulders & housekeepers of this Province & the takeing away of just liberty & true propty in Our goods Lands & Tenem^ts^ & to that end did On Sunday the third day of this instant September at the Plantation of Thomas Barbary upon Petuxent River in Calvert County aforesaid with fforce & Terror of Armes assemble themselves with divers others to the number of sixty persons by them seduced in a mutinous & Seditious manner to extort from the Governour & Councell of this Province a grant of the contents of that paper being certaine Imunityes & ffreedomes not within the power of the said Governour & Councell nor of the Lord Prop^ry^ himselfe to grant without the consent of an Assembly And whereas the said Governour & Councell did send to the said W^m^ Davyes and his Complices at the time & place aforesaid Comanding them to lay downe & yeild up their Armes & to retire to their owne houses promiseing to propound their requests to the next Assembly who alone could grant their petitions and in the interim promised them all ffree pardon W^m^ Davyes only excepted to whom they notwithstanding promised a ffree & legall tryall at the Provinciall Court, and that they would not in this case exercise Martiall Law as his case justly deserved. And whereas these condiscentions of the Governour & Councell were then and there slighted & contemned by the said Davyes, Gent, Hasleham & Pate & their Complices and that they did from thence march away with drummes beateing & Collours flying in despight and defiance of his L^opps^ Gov^rment and to the Terror of all the good people of this Province though they have since with drawne & dispersed themselves & lye lurkeing till they can find a fitter Opportunity to worke Out their wicked & malitious designes. These are therefore by the advice of the Councell in the name of the Lord Proprietary to declare publish & proclaime the said W^m^ Davyes W^m^ Gent Giles Hasleham & John Pate mutinous and seditious persons Outfaceing all Lawes & justice with fforce and armes & strictly to charge & com̄and all persons Inhabitants of this province not only not to aide abett comfort or assist them or any of them upon paine of being proceeded against as mutinous & Seditious persons & punished with death according to the Lawes of this Province but also strictly to require
p. 103 all persons that shall know where they or any of them are

imediately to apprehend them the said Davyes Gent Hasle- Lib. R. R.
ham & Pate hereby promiseing two thousand pounds of tobacco by the head as a reward to all or any persons that shall apprehend the said Davyes Gent Hasleham & Pate or any One of them And fforasmuch as there were divers other of the good people of this province seduced & perswaded to joyne with the said Davyes Gent Hasleham & Pate at the time & place aforesaid Wee doe hereby publish & proclaime a Generall pardon of the said mutiny & Sedition to all persons then & there assembled other then the said Davyes Gent Hasleham and Pate provided he or they doe within fourteen dayes from the date hereof come to the Deputy Leivtenant of this province some One of his L^opps^ Councell for this Province or some One justice of Peace within the County where he or they liveth & submitt him or themselves & deliver in his or their Armes & in the interim forbeare all further Acts of Hostility mutiny or sedition. Given at the Mill in Hunting Creeke under the great Seale of this Province of Maryland this fourth day of September in the ffirst yeare of his L^opps^ Dominion Annoq Dom 1676.

Thomas Notley.

[Commission for Grand Inquest.]

Charles Absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltemore &^c^ To our trusty & dearely beloved Unckle & Councello^r^ Philip Calvert Esq^r^ our Chancello^r^ of our said Province, our deare Cousin W^m^ Calvert Esq^r^ our Councello^r^ and Principall Secretary of our said Province, our deare Cousin Baker Brooke Esq^r^ our Councello^r^ & Survey^r^ Gen^ll^ of our said Province our trusty & welbeloved Councello^r^ Samuell Chew Esq^r^ our trusty & welbeloved Councello^r^ Thomas Taillor Esq^r^ our trusty & wellbeloved Henry Coursey Esq^r^ Greeting Know ye that we have Assigned you or any foure or more of you (of whom you the said Philip Calvert & W^m^ Calvert are allwayes to be one) our Judge to Enquire by the Oaths of twelve good & lawfull men of this Province & by such other wayes & meanes by which the truth of the matter may more plainly appeare & to you shall seem best & shall be within yo^r^ power of all such Treasons Misprisions of Treason against his most sacred Ma^tie^ the King of England our dread Sovereigne, Insurrections, Rebellions, Mutinyes & Seditions, Burglaryes, unlawfull meetings & speaking of words against us or our Dominion over this Province As also of the accessaryes to the same within this Province by whomsoever & whensoever done perpetrated or comitted, & by whom, against whom, when, how, & in what

Lib. R. R. manner, of all other Articles & circumstances of the p^r^misses them or any of them any manner of way touching & concerning And the same Treasons, Misprisions of Treason against his said Ma^tie^ Insurrecc̄ons, Rebellions, Mutinyes, & Seditions, Burglaryes, unlawfull meetings & speaking of words against us or our Dominion over this Province & other the p^r^misses
p. 104 (for this tyme) to heare & determine According to the Lawes & Customes of the Kingdome of England & of this our Province And therefore we Com̄and you that att certaine dayes & places which you or any foure or more of you (of which you the said Philip Calvert & W^m^ Calvert are to be one) shall appoint, you make diligent Enquiry upon the prmisses, & all & Singuler the prmisses you heare & determine & the same doe & performe in manner aforesaid, doeing therein what to Justice appertaineth according to the Lawes & Customes of England & of this Province saveing to us our Amerciam^ts^ & other things from thence to us arising or belonging, for we have Com̄anded our Sheriffes of this our Province, that att certaine dayes & places which you or any foure of you (of which you the said Philip Calvert & W^m^ Calvert are all wayes to be one) they cause to come before you such & so many honest & lawfull men of this Province by whom the truth of the matter may the better be knowne & Enquired after In Testimony whereof we have caused these our Letters to be made Patents Witness our trusty & welbeloved Thomas Notley Esq^r^ our Deputy Liev^t^ of our said Province of Maryland the ninth day of Octob^r^ in the first yeare of our Dominion over our said Province Anoq Dom 1676:

Septemb^r^ 13^th^ 1676.

Com̄ission for the Peace in Ann Arundell County then Issued to

Col W^m^ Burges
Samuell Lane
John Welsh
Rob^t^ ffrancklin
Rich^d^ Hill
Nath^l^ Heathcoate
} Gentl of the Quorum

John Homewood
Henry Stockett
Tho: ffrancis
W^m^ Jones
Henry Lewis
} Gentl Justices

Eodem die. Dedimus potestatem to Col W^m^ Burges & Sam^l^ Lane ut in fol 54.

August 9th 1676. Lib. R. R.

Comission for the Peace in Dorchester County then Issued to

Robert Winsmore
Wm Stevens
Raymond Stapelford } Gentl of the Quorum
Hen: Tripp
Jno Brookes

Stephen Gary
Barth: Ennalls
Ch: Hutchins
Hen: Hooper } Gentl Justices
Hen: Bradley
Jno Pollard
Jno Offley

By the Deputy Lievtent p. 105
A Proclamacon

Whereas Ensigne Wm Davis Giles Hasleham & John Pate with divers others, Inhabitants upon or neere the Cliftes in Calvert County have contrived a mutinous & seditious paper tending to the subversion of the Govermnt of this Province under the Right Honble the Lord Proprietary & destruction of the Peace of the People. And the same with force & terror of Armes have Published att the head of the Company Comanded by Major Henry Jowles, threatning the said Major with their Gunns cocked & prsented These are therefore in the name of the Right Honble the Lord Proprietary to Will & Comand all Officers Millitary & Civill & all House-Keepers & other the good People of this Province to Apprehend the said Ensigne Wm Davis Giles Hasleham & John Pate & them Safely to bring to the Garrison att Mattapany Sewall there to be kept in safe Custody, strictly Charging & Comanding all house keepers & all other the good People of this Province not to harbour comfort aid or Assist the said Davis Hasleham & Pate or any of them as they will Answer the contrary att their uttmost perills And forasmuch as many well meaning People of this Province may have been seduced by the said Davis Hasleham & Pate to Joyne with them in the Publicacon of the said paper Itt is hereby Declared Published & Proclaimed that the Governmt will not take notice of that Crime in any other person then the said Davis Hasleham & Pate Provided they render themselves to the Deputy Lievtent or some one of his Lordshipps Councell for this Province within foureteene dayes, & shall discover the Councellors Contrivers & writers of the said paper Given att the Citty of St Maryes under the great Seale of this Province of Maryland this first

Lib. R. R. day of Sept^r in the first yeare of his Lordshipps Dominion Annoq Dom 1676

[Commission to Thomas Notley.]

p. 113 Ch. Baltemore

Charles Absolute Lord & Prop^ry of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c^a To all to whom these p^rsents shall come Greeting Know ye that wee in Consideracōn of the Speciall trust & Confidence which wee have in the great Prudence care conduct & fidelity of our trusty & wellbeloved Thomas Notley of S^t Maryes in our said Province of Maryland Esq^r Have given & granted And wee doe by these p^rsents Give & Grant unto the said Thomas Notley the Office of Lievtenant Generall Cheife Captaine Cheife Governo^r & Comander & Cheife Admirall both by Sea & land of our said Province of Maryland in the parts of America And of all our Islands Territoryes & Dominions whatsoever in any the parts of America thereunto belonging And of all & singuler our Castles fforts ffortresses ffortifications Munitions Shipps & Navies in our said Province of Maryland & in our said Islands Territoryes & Dominions aforesaid And also the Custody & Cheife Government & Comand of our said Province of Maryland & of our Islands Territoryes and Dominions aforesaid And of all & singuler the Castles fforts ffortresses ffortifications Munitions Shipps & Navyes within our said Province Islands Territoryes & Dominions aforesaid being & remaining or to be & remayne & to us in any wise belonging or apperteineing Together with all & singuler the rights priviledges Jurisdictions Comodityes Advantages & Emoluments whatsoever to the said Office & Governm^t or either of them any wise belonging or apperteyning And him the said Thomas Notley wee doe make ordeyne & Constitute Liev^t Generall Cheife Captaine & Chiefe Admirall both by Sea & land
p. 114 Cheife Governo^r & Comander of our said Province of Maryland & of our said Islands Territoryes & Dominions And of all the Castles fforts Navyes Shipps places & things aforesaid by these p^rsents To have hold Occupy Enjoy & Exercise the said Office of Lievtenant Generall Cheife Captaine & Cheife Admirall Cheife Governour & Cheife Comander aforesaid with the Appurtennces unto the said Thomas Notley by himselfe or by his Sufficient Deputy or Deputyes by him in his absence to be Appointed dureing our pleasure And wee likewise for the Consideracōns aforesaid doe Give & Grant unto the said Thomas Notley full power & authority dureing the tyme of his Exercise of the said Office before mencōned by himselfe & his Captaines & Officers by him to be Appoynted

to Leavy Muster & trayne all sorts of men of what Condition Lib. R. R.
or wheresoever borne in our said Province & Dominions for
the tyme being or remaining And in case of Insurrections
Assaults or Approaching of any Enemy or Enemyes Pyrate
or Pyrates or other Robbers to make Warr & to persue such
Enemy or Enemyes Pyrates or Robbers as well by Sea as land
And to Vanquish & take them And being so taken to putt
them or any of them to death by the Law of Warr, or to save
them or any of them att his pleasure And to doe all & every
thing & things which unto the Charge & Office of a Captaine
Generall of an Army or Admirall of a ffleet belongeth And
likewise in case of any Rebellion Tumult or sedition either
upon the land within our said Province & Dominions or upon
the Seas to Exercise Martiall Lawes against all Rebellious
mutinous or seditious persons of those parts who shall refuse
to submitt themselves to our Government, or to serve in the
Warrs, or shall fly to the Enemy or forsake their Ensignes, or
be Loyterers or Straglers or otherwise howsoever offending
against the Law Custome or Discipline Military as freely & in
as ample manner & forme as any Cap^{t} Gen^{ll} of an Army or p. 115
Admirall of a Navy by vertue of his Office might or hath
accustomed to use the same And farther wee doe Give &
Grant unto the said Thomas Notley full power & Authority
dureing the tyme of his Exercise of the said Office before
menc̄oned for us & in our names as often as he shall thinke
fitting from tyme to tyme to pardon remitt or release whether
before Judgement or after All & all manner of Criminall
Offences against the Lawes of our said Province & Dominions
or any of them And also all & all manner of paines penaltyes
& fforfeitures incurred or to be incurred by any person or per-
sons Body or Bodyes Politique or Corporate within our said
Province & Dominions or any of them for or by reason of any
Crime or Crimes Offence or Offences c̄omitted or to be
c̄omitted against any the Lawes Ordinances or Orders of our
said Province heretofore made or hereafter to be made what-
soever or howsoever as fully & amply to all intents Construc-
tions and purposes as wee our selfe might doe if wee were
then & there personally p^{r}sent to doe the same And also for
us & in our name & as often as he shall finde itt necessary
from tyme to tyme to call Assemble & Summon any Generall
Assembly or Gen^{ll} Assemblyes of the ffreemen of our said
Province or of their Deputyes or Delegates of the ffreemen
of our said Province for the giveing of the advice Assent &
Approbac̄on of the ffreemen of our said Province or of the
Deputyes or Delegates of the ffreemen of our said Province to
such Lawes & Acts as shall be by us att any tyme Ordayned
made & Enacted & under our Seale published, & unto which

Lib. R. R. the advice assent & Approbacōn of the ffreemen of our said Province or of the Deputyes or Delegates of the ffreemen of our said Province shall be att any tyme or tymes requisite & necessary And the said Gen[ll] Assembly & Assemblyes so from tyme to tyme called Assembled & Sum̄oned or to be
p. 116 called Assembled or Sum̄oned from tyme to tyme when & as often as he shall judge itt necessary in our name to Prorogue or otherwise to dissolve att his pleasure And likewise for us & in our name & in our absence from our said Province to Ordayne make & Enact by & with the advice assent & Approbation of any such Assembly or Assemblys so called Assembled or Sum̄oned or to be called Assembled or Sum̄oned as aforesaid to be of force untill wee our selfe or our heyres & Assigns Lord & Proprietary or Lords & Proprietaryes of the said Province shall declare & Publish or cause to be declared or published within our said Province our his their or some of their particuler dissent or dissents disagreement or disagreements to the same under our his their or some of their Seale or Seales, so as the said Lawes & Acts so to be Ordained made & Enacted be consonant to reason & be not repugnant or contrary but as neer as conveniently may be Agreeable to the Lawes Statutes & Customes of the Kingdom of England, & so as the same be no way repugnant to or destructive of our Rights Priviledges or Jurisdictions, or to the Disinherison of us our heyres or Assignes Lord & Prop[ry] or Lords & Proprietaryes of the said Province or contrary to our or their Powers Government or Dominion or contradictory to a certaine Act of Assembly heretofore made in the nineteenth yeare of the Dominion of our late deare & most noble ffather Annoq Dmi. One thousand six hundred & fifty Intituled an Act concerning Religion And likewise wee doe farther Give & Grant unto the said Thomas Notley dureing the tyme of his Exercise of the said Office aforesaid full power & Authority from tyme to tyme to make Constitute Ordayne & Publish in our name such wholesome reasonable & profitable Ordinances Edicts & Proclamacōns within our
p. 117 said Province for the better Governing of the People there Inhabiting & with such reasonable paynes & penaltyes to be therein Expressed as wee our selfe might lawfully doe if wee were then & there personally p[r]sent And also full power & authority to direct & Appoint for us & in our name to passe under our Great Seale of our said Province such Grant & Grants of such proporcōn & proporcōns of lands within our said Province to such person & persons & for such Estate & Estates & with such priviledges & Immunityes & under such Conditions as wee have directed or shall from tyme to tyme hereafter direct by any Warrant or Warrants under our hand

& Seale att Armes, so as the said Warrant & Warrants &c Lib. R. R.
duely Entred & Registred & the said lands duely Surveyed, & the Surveys thereof returned And all & every the necessary Rules Oders & Circumstances heretofore by us or by our said late ffather given or Appointed in relation to the Surveying of such lands, & the Entering Registring & Attesting the Surveys thereof & all necessary Circumstances touching such Grants Surveys & Warrants heretofore by us or by our said late ffather given or appointed be first duely observed & performed willing & by these p^{r}sents requireing the said Thomas Notley to advise as there shall be occasion with those who are or shall be of our Councell there for the tyme being upon all emergent occasions touching concerning or relateing unto the good Governm^{t} of our said Province & of the People there And wee doe hereby revoake adnull & make voyd all former Comissions heretofore att any tyme given unto the said Thomas Notley or any others in relation to all or any the Offices Powers or Authorityes hereby granted And all & every power & powers Authority & Authoritys thing & things in them every or any of them given granted mencōned p. 118
or contained hereby declareing the same to be revoaked adnulled & made voyd to all intents & purposes imediatly from & after the publishing of these p^{r}sents within our said Province Given under our hand & Greater Seale att Armes this fourteenth day of Octob^{r} in the first yeare of our Dominion over the said Province Annoq Dmi One thousand Six hundred Seventy & Six

On the back side of the aforegoing Comission was thus Written

A Comission for Thomas Notley Esq^{r} to be my Governo^{r} of Maryland, hereby requiring the said Notley to take the usuall Oath of Governour afore our Chancellor or Secretary whom I hereby Impower to Administer the same

Ch. Baltemore

October 20th 1676 p. 112

Ordered that Cecil County Court be holden upon the second tuesday in each month Courtly on which the same Courts are to be Holden.

December 5th 1676 p. 113

Ordered that John Creycroft be Ordered the tobacco remained in the hands of Cap^{t} Jonathan Sibrey Sheriff of Cecil County out of the publique and that the Deputy Governour passe his Order accordingly.

Lib. R. R. Decembr 6th 1676.

Comission then Issued to Benjamin Randall of Kent County gentl to be Clerke of the County Court of Kent County dureing the Secretaryes pleasure

December the 6th 1676

Comission for the Peace in Kent County then Issued to

Joseph Wickes
James Ringold
Thomas Marsh
Henry Hosier
} Gent of the Quorum

Wm Lawrence
John Hinson
Nathl Evett
Samuell Tovey
Cornelius Comegys
Disboroh Bennett
} Gentl Justices

Dedimus potest to Joseph Wickes & James Ringold ut in fol 54.

December 9th 1676.

Ordered that the Garrison at Mattapeny be dismist within six dayes and that the Deputy Governour issue Order to that purpose.

p. 105 By the Deputy Lievtent
A Proclamacon

Whereas in these dangerous & Rebellious tymes there are divers convicted persons Imported into this Province before the tenth day of Novembr att which day the Act against Importacon of Convicted persons into this Province doth take place And whereas itt appeareth Evidently that the landing of such persons in this Conjuncture of tymes & Affaires is absolutely destructive to the Peace of the Province Bee itt Ordained by the Governor & Councell And itt is hereby Ordained That the Master of the Shipp or Vessell in which the said Convicted persons are Imported shall before he presumes to land sell give or dispose of any the said convicted persons within this Province or to any person in this Province Enter into Bond to the Lord Proprietary of fifty pounds sterl. with two sufficient suretyes such as any two of the Justices of the County Court of the County in which the said Convicts shall be landed or Attempted to be landed shall Approve of
p. 106 for the good behaviour of any the severall and respective Convicts that shall be attempted to be landed sold given or disposed of to any person or persons within any the severall

& respective Countyes within this Province And be itt Lib. R. R.
further Ordained by the Authority aforesaid, that if any the said Convicts are allready landed sold given or disposed of to any person or persons within this Province or shall hereafter be landed sold given or disposed of without such bond given as aforesaid, that the next Justice of the Peace to the place of Residence of any the said Convicts or of the person to whom the said Convicts shall be sold given or disposed of shall forthwith send for such Convicted person or persons, & them to Prison shall comitt untill the Masters of the Shipp in which they were transported or the ffacto^{r} or ffacto^{rs} to whom the said Convicts shall happen to be Consigned, or the person or persons to whom the said Convicts shall happen to be sold given or otherwise disposed of shall Enter into like Bond of fifty pounds sterling to his said Lord^{pp} with Condicon for the good behaviour of the said Convicts dureing their stay or Aboade within this Province.

By the Governo^{r} & Councell of this Province of Maryland A Remonstrance of the true State of the Province & of the causes & reasons of the publique Taxes.

The Governo^{r} & Councell takeing into serious Consideracon the gentle & moderate hand allwayes carryed over this Province by his Lord^{pp} dureing the life of his deceased ffather & the many Condescentions of his Lord^{pp} since the Absolute Comand of right devolved to him, cannot but with wonder & Amazem^{t} reflect upon the Levity not to say Ingratitude of the People, who have bin so farre blinded by the Spetious p^{r}tences of some desperate & ill Affected persons as to runn out into an Actuall Rebellion against his Lord^{pps} Governm^{t} when with joyned hands & united hearts we ought as one man to have risen upp against the Heathen, & with as constant & Confirmed Councells have prepared against such Evills as have now Involved our neighbour Colony in an Intestine Warre, & well nigh buried her in her owne ruines. Yett will they not sinke under the burden, but as on the one side they will by the sword of Justice lopp off such rotten members as doe Endanger the whole, so on the other side they will Endeavour to give all reasonable satisfaction to understanding & unbiased persons The great Clamour is against the greatnes of the Taxes; the debarring of some ffreemen who have nothing to Entitle themselves to a being in this Province, from voting in the Choice of the Delegates for makeing of the Lawes, & p. 107
lastly that those poore ffreemen are Obliged to pay taxes equall with the rich. As to the first we Appeale to the whole world to Judge whether the Lord Prop^{ry} were not forced to

Lib. R. R. the Expensive warre against the Sasquehannoughs last yeare And whether he sought not all meanes of pacification that could stand with his honour & the safety of the People before he Engaged in itt. What reason then have the People to repine att their being protected? unlesse they value not their owne lives att the rate the Proprietary himselfe Values the meanest of the People. If the Taxe continue this yeare tis the same necessity of defending the People that causes itt, & the paying for the building of the State house three yeares since ordered & begun by consent of an Assembly in a tyme of our greatest peace & plenty that Encreases itt. And the mutiny & Rebellion of Davis & his Complices that hath Swolne itt beyond the Expectation of us all. And as we can with truth say, that there is not one of us whether Governo^{r} or Councello^{rs} nay not the Propry himselfe when in the Province that paid not his equall proportion of the Levy even for his owne person as well as for every one of his Servants; so we dare any man, nay the whole world to name one of us to whom his Lord^{pp} when Governo^{r} or since hath given any Gratuity of the publique Levy. The People themselves in their Delegates & Representatives are now eye wittnesses of the necessary charges of the Province, & Auditors of the Accounts so that we cannot but hope they will Endeavour themselves & unbeguile the People, & rest satisfied in the security they enjoy in their persons by the Expence of their Goods; & by their quiett demeanour Oblige the Governo^{r} & Councell to beleive that there will be noe further need of Expensive forces to compell men to enjoy the fruites of their owne labours in Peace & Tranquility. As to the votes of ffreemen who have neither lands nor visible personall Estate, in the Eleccōn of Delegates for the Assembly wee doe say, that as the Lord Proprietary can call Assemblys by his Patent whensoever & in what manner to him shall seeme most fitt & convenient, Itt is no wonder that he should chuse this as the fittest & most convenient manner, & most agreeable to the Lawe & Custome of England For what man in England can be admitted to the Election of Parliament men that hath not a visible Estate in land or Goods? nay are there not infinite numbers concluded in Parliament without vote in the Elections, though they have great Estates both in land & Goods? as namely all unmarryed women be their Estates in lands never so great, & all both men & women living out of Corporations, haveing no Estates in land be their Personall Estates never so considerable. This we say as to the point of reason & lawe But if itt be thought an unkinde way of proceeding with the poore ffree-
p. 108 man, or that the ffreeman be dearer To the ffreeholder then himselfe his Wife Children & fortune, & that they will needs

Submitt themselves & all that is deare to them to be disposed Lib. R. R.
of by the votes of the ffreemen that have nothing, & that can as easily carry themselves out of the reach of Lawes by themselves made, to the prejudice of the ffreeholder as change their Cloaths Wee doe promise to propound the case of the indigent ffreeman to his Lord^{pp} att his returne, & to offer him such reasons & motives as may incline him to permitt the next Election to be made by the Votes of all the ffreemen indifferently. this is all that lyes in our powers to doe in this case, & this we doubt not but to Obtaine from his Lordshipp, if the quiett demeanour of the ffreemen in the interim doe but concurr with our Endeavours, to Oblige his Lordshipp to have a favourable regard of their Interests.

The last part which concernes the poore ffreemans paying equall Taxe with the rich, we must needs looke upon as a peice of Sophistry, imposed upon the credulous ffreemen by some malignant Spiritt, who Repines that he cannot as well Cheate the publique of the ffreemans Leavy, as he hath beguiled the ffreeman out of his Crop. What ffreeman is itt that ever paid for more then his own head? & what rich man is itt that hath not paid for every Servant & Slave he hath? but put the case itt be hard the poore ffreeman should pay as much for his head, as the Rich man doth for his owne head, why must my Lord or his Governo^{r} & Councell beare the blame of this which my Lord himselfe cannot helpe without the consent of an Assembly? If the Wisdome of future Assembly shall thinke fitt to alter the way of paym^{t} of the Publique Taxes hitherto continued in this Province in Virginia & indeed in all the Governm^{ts} in the West Indies Wee dare undertake for his Lordshipp that he shall consent to itt. And itt will be a thing extreamly pleasing to him to finde that mans labour is not the sole Riches of his Province, & that our Riches from transitory are now become Reall & permanent That this happy day may once arive hath bin the long & unwaryed Endeavour of my Lords deceased ffather And we dare boldly promise will be the constant Employ of my Lord that now is. Our helping hand shall never be wanting to procuring the peace & plenty of every individuall in the Province, which truly consists in the due preservac$\bar{o}$n of his Lordshipps rights & the Protection of the People in their just Right of libertyes To both these as Judges we are indifferently sworne, & to each part of our dutyes we hold our selves equally Obliged And therefore we doe protest in the sight of God & men, as we are resolved not to see the least part of his Lordshipps right diminished without his Lordshipps consent, nor any of his Lawes slighted Or contemned, so we will p. 109
unfainedly mediate with his Lord^{pp} & the next Assembly for

Lib. R. R. any of the Peoples modest & reasonable requests. And till then we must lett the Province know that we expect a prompt Obedience to his Lord^{pps} Lawes & just Comands as they now stand warranted by Lawe And that we are resolved severely to Enquire into any future breaches of the Lawes or disturbances of the publiq Peace & repose of the Province. Looke, we Intreate you, upon the distressed & miserable Condicōn of our Neighbour Colony torne in peeces under the maske of publique Reformacōn & ease from taxes. Reflect upon the Barbarous Enimy hovering over our heads, & lett not any under what Vizard soever leade you into the Calamityes of an Intestine Warre, from which & from all others my Lords Paternall care a long tyme defended, till some men wise in their owne conceitts beyond the Lawe of God or Nations enkindled a fire which yett burnes & will we feare consume Thousands of the Guiltlesse as well as of Guilty, Unlesse God in his mercy putt thoughts of Peace into the mindes of Barbarians, & fill their hearts with desires becoming the most Christian & most Civilized Nations God wills Obedience & not Sacrafice, & as a Reward of that Obedience you may as certainly as justly Expect that ease from payments you so earnestly Covett, when all struggling against knowne Lawes does but Arme the hands of Justice, & force Governo^{rs} to chargeable wayes of Protection & defence of the whole, unlesse they will render themselves Guilty of all the bloud Rapine & Confusion that lawlesse Invaders of their Neighbours Rights can Involve the negligent & unwary Governo^{rs} of a Country in, ffrom which wee hope God will defend his Lord^{pp} & all the good People of this Province.

By the Deputy Leivtenant
Proclamation

fforasmuch as there are divers mutinous and Seditious persons in Virginia who have presumed in a Rebellious manner to take up Armes against his Sacred Majestyes established Goverment there, under the Right Hon^{ble} S^{r} W^{m} Berkeley committing divers Outrages as well upon the persons as the Estates of his said Ma^{ties} faithfull Subjects & imposeing Oaths upon the people by all meanes seekeing to bind their Consciences to uphold their Rebellion, even against such fforces as his said Ma^{tie} shall thinke fitt to send for the Quelling of the said Rebells and establishing peace in the said Colony And whereas the said S^{r} W^{m} Berkeley hath forbidden all Shipps rideing in Virginia to trade trafficke or Commerce with any Inhabitant in Virginia least the said Rebells should be aided, comforted or assisted. By the advice and consent

of the Councell of this Province I doe hereby forbidd as well all Inhabitants of this province as all other persons resideing traffickeing or any wayes tradeing in or through this Province to assist any of the said Rebells or to buy sell, trafficke trade Comerce or exchange with them or any other person inhabiteing in Virginia for any Armes Amunition meate, drinke Corne meale or any merchandize whatsoever either directly or indirectly till the said Rebells shall be vanquished or otherwise reduced to their due Obedience to his said Ma^tie^ under paine of being proceeded against as Aiders Assisters and Abettors of those that have actually Levyed Warr in Virginia against Our Soveraigne Lord the King & his established Goverment there. Given at S^t^ Maries under the great Seale of this Province this twelfth day of December 1676 in the second yeare of his Lo^pps^ Dominion over the same. Lib. R. R. p. 110

Proclamation
By the Deputy Leivtenant.

Takeing into serious Consideration the late horrid Rebellion against his most Sacred Majestyes Government in Virginia under the Right Hon^ble^ S^r^ W^m^ Berkeley and the mischeivous consequences thereof, and likewise foreseing that divers of the late Rebells there may endeavour to fly into this Province so to escape the punishment due to their great crimes in that his Ma^ties^ Colony perpetrated and committed. To the end therefore that all due respect may be showne to his most Sacred Ma^ties^ Lawes, and that all Rebells may know no part of his Ma^ties^ Dominions affords Shelter to Criminalls & Offenders, I doe hereby with the Advice and consent of the Councell of this Province of Maryland strictly forbid all persons inhabiteing resideing traffickeing or tradeing in or through this Province the comforting aideing assisting or concealeing any of the persons whatsoever that have beene any wayes guilty of the late Rebellion in Virginia, or have bin any wayes aideing assisting or abetting the said Rebells or Rebellion in that Colony under paine of being proceeded against with the utmost severity of the Lawes of his most Sacred Ma^ties^ Kingdome of England in such cases made and provided. And for the surer p^r^vencō̄n of all concealements of the Rebells aforesaid their Aiders Assisters and Abettors I doe hereby strictly charge & com̄and all persons whatsoever inhabiteing resideing traffickeing or tradeing in or through this Province That they apprehend all suspected persons that shall come into this Province, and them bring before me, or some One of his L^opps^ Councell of this Province, or at least before some justice of the peace of this Province, that they

Lib. R. R. p. 111 may be duly examined and if need be returned into Virginia, Unlesse such person bring with him Sufficient Certificate from his Ma^ties^ Government there of his innocency, quality and buisnesse into this Province, Or be otherwise of Knowne credit repute and Honour for his Loyalty to his Ma^tie^ in this late time of tryall in Virginia, Under paine of being proceeded against according to the Law of England for misprision of treason. Given at S^t^ Maries under the great Seale of this Province of Maryland this 27^th^ day of January in the second yeare of his L^opps^ Dominion over this Province Annoq Dom. 1676:

[Commission to Col. William Burges.]

Lib. R. p. 22 I Doe hereby will Execute W^m^ Burges to observe ꝑforme respective ord^rs^ Instructions Directions and hereafter mentioned in such manner and forme as the same are hereby ord^r^ed and directed to be observed, ꝑformed and Executed that is to say.

First. You are to take und^r^ yo^r^ Command the ꝑty raised for yo^r^ Guard out of S^t^ Maries, Calvert & Charles Counties, & with them to saile directly for the mouth of Nanticoke River, and from thence or as y^u^ pass by the mouth of Wiccocomico River to send the Ord^r^ directed by me to Coll W^m^ Colebourne that he may meete y^u^ at the gen^ll^ Rendezvous at Chicacone in Nanticok River, being the place where the Empero^r^ now doth or lately did reside, and then takeing in a Pilott you are to saile directly to the s^d^ Towne of Chicacone, where the rest of the fforces from Dorchester, Talbott Kent and Cæcill Counties are ord^r^ed to Rendezvous:

2: At the arrivall of the s^d^ fforces you are to cause them to be mustered, and to take a view of their Armes, and an Acco^t^ of their ꝑvisions that the unarmed may be provided & the Camp supplyed w^th^ Provisions, sending out then Immediate ord^rs^ to Somersett & Dorchester Counties to supply yo^r^ present wants, and to the remoter Counties for a continuance of those Supplies.

3: You are by all Convenient waies and meanes to labour to possess the minds of Hatsawapp, Ababco & Teinguassino the Kings in Choptank, as also Amonugus the Empero^r^ of Assateague that we meane them noe harme at all, & that we designe noe harme to Unnacokassimon himself nor his People, provided he will deliver up Krawacom, and the two other Indians (whose names we know not) who murdered David Williams and the rest of the English in his house, & you are to Labour to make them und^r^stand, that in Case of murd^r^ we doe Expect those that actually did the Deed, not a like numb: to the murd^r^ed unless there were p^r^sent aideing assisting & abetting as many murd^rs^ as there were murd^r^ed.

4: You are to insist positively upon the Delivery of Krawacom a Gascoway Indian, one of the murd^rers & Subject to the Empero^r and of the rest if to be found or any waies to be discovered take not the first deniall for an answer but by the Piscattoway & Western Shore Indians (if the Eastern Shore Kings will not) press the Dangers & Mischiefe of a Warr, and see if you can ꝑcure a second or third treaty in as many daies successively, but give them noe cause to think we feare them but in all things by y^r Excel^cys guards & sending for more men and ꝑvisions lett them see y^u seriously intend warr if Krawacom be not Delivered. Lib. R. p. 23

proceed to the Decision of a warr Endeavo^r or other ꝑ^rsents to ꝑswade the Eastern Shore Kings to joine or at least to come in and live und^r our Protection, assuring them that we desire nothing but their ꝑ^rservation from being killed by our men who know not one Indian from Another, and from being destroyed by the Indians our ffriends, who we shall Employ to hunt Our Indian Enemys out of the Swamps, w^ch Indians have noe peace w^th them unless we include them in the numb. of our ffriends.

7: In all this treaty w^th the Empero^r of Nanticoke, & the other treatys w^th the Indian Kings in Choptank, and the Empero^r of Assateague, you are to joine w^th Coll Henry Coursey, M^r Christopher Rousby Coll W^m Colebourne, M^r W^m Stevens & M^r John White, and with their or any two of their advice & Consent to determine of what shall be propounded to them, and what answers shall be given to such propositions as they shall make to y^u and the s^d Coll. Coursey, Christopher Rousby, Coll: Colebourne, W^m Stevens, and John White, that soe matters of this weight may be duely Considered, and the peace of the Province Secured, if with any Tolerable Tearmes of Hono^r it may be Contrived.

8: You are to endeavo^r to engage Hatsawap, Ababco, Teinguassino, & Amoungus to goe as Mediato^r betweene you and Unnacakossimon, in case he will not come ꝑsonally to treate w^th you, if all will not goe procure some and if none of them will goe, then Engage the ffaithfuller of our Western Shore Indians.

9: In case Warr be ꝑclaimed, & that Coll: Coursey, M^r Christopher Rousby Coll: Colebourne, M^r W^m Stevens, & M^r John White or any two of them cannot attend the Service, you are to choose a Councell out of yo^r owne officers, and by the advice of them or the majo^r ꝑt of them to govern yo^r Self in the managem^t of this warre.

10: You are from time to time to see yo^r Souldiers well provided with Armes, Ammunition and ꝑvisions, and to that

Lib. R. End to send y^r warrants to the Press Mast^rs or others to press such Armes Ammunition & provisions as y^u in your discretion upon conference with yo^r Councell or without shall judge necessary.

11: In case you come to a treaty w^th the Empero^r of Nanticoke, you must Article w^th him and his great men that Pocatap shall not kill or otherwise injure the English, and that they either deliver up the Southern Indians that came w^th Pocatap, or force them immediately to depart this Province.

p. 24 12: You must press the Delivery of Indians according to former Articles those Enemies, and lately haveing attempted to kill an English man John Harris, but you are not soe to insist upon it as to make a war if it be denyed ꝑvided Krawacom be delivered, & the other two Murd^rs if to be found.

13: Whereas Severall Accidents may happen wherein those ꝑsons appointed to be of Councell to y^u may possibly not be ready to attend y^u you are then in such Cases to ꝓceed without y^r s^d Councell according to the best of yo^r Judgem^t and Discretion either for concludeing a Peace or prosecuting a Warr as you shall see occasion according to the Teno^r of the fforegoing Articles.

14: You are at yo^r Arrivall at Chicacone the place of Rendezvous to muster all yo^r fforces, and cause yo^r Sec^ry to keepe an Exact Muster Roll of all such as already are or from time to time hereafter shall be raised and sent over to y^u for this present Expedition together w^th the exact time when they first Entred into the Service, & how long they continued therein, as also an Exact Acco^t of the Death of any of yo^r Souldiers, with their names, to what Company belonging, & the time of their death, all w^ch yo^r Sec^ry must truly Record in the Journall of yo^r ꝓceedings, w^ch at the Expiration of this Expedic̄on you are to cause fairly to be transcribed and rendred to me, and an Exact Acco^t of all such Provisions and other necessarys as y^u shall press there or shall be here prest and sent over to you for yo^r Supplyes, You must ord^r yo^r Sec^ry likewise to keepe.

15: What Armes or Ammunition belonging to his L^dᵖp: and delivered out amongst yo^r Souldiers shall at the breakeing up of this Expedic̄on be left remaineing, not broke or lost in Service, You are to take due care that the same may be brought to Mattapony and there Delivered to M^r Nicholas Sewall who is Constituted and Empowered to receive the same and take an Acco^t thereof.

Given at Mattapony und^r my hand and Seal this Sixteenth Day of March in the third yeare of the Dominion of the R^t Hon^ble Charles &c over this Province Annoq Domini 1677:

Thomas Notley.

At a Councell held at New Towne Court house Saturday morning March 23rd in the third yeare of the Dominion of the Rtt Honble Charles &ca over this Province Annoq Dom. 1677. Lib. R. p. 25

P^r^sent

The Honble Thomas Notley Esqr Governor
Will Calvert Esqr Secry
Coll: Henry Coursey

Severall Great men Indians of Nanticoke in Compa wth Coll. Henry Coursey came over to speake wth the Governor touching the late murdr committed on David Williams and his family in Somersett County, & brought wth them two Nanticoke Indians Prisoners to be delivered up to the English in Satisfaction for the same, were ordred to meete at the said Court house this Day.

The Names of the great men are. viz

Oupetoh	Bror to the Emperor	The Names of the
Tequassino		Prisonrs are
Chincoricos		Wottocwacough
Ousawosson		Onnechacoughson

The great men to Severall Interrogatories ꝓposed to them doe declare as foll:

That the Emperor of Nanticoke (from whom they were sent) is ashamed that a murdr is committed upon some English, that the English have made severall Demands to have the murderrs Delivered up, that he has made it his chief care and business to find out the ꝓsons that committed the same, but notwthstanding he has made strict Inquisition into the whole matter and has narrowly searched all the severall Townes of Indians belonging to him & undr his Subjection, cannot find any more then that One he has delivered up, who brought home wth him two Matchcoates, two ꝓ shooes two ꝓr F. Stockings, one shirt, and one ꝓ Breeches soone after the murdr was Committed, and was thereupon strictly Examined ꝓ the Emperor how he came by them, but being able to give but a slight acct thereof was by him suspected to be the murdrer, and was therefore delivered up to the English that the Emperor has also strictly Examined and Enquired of all Indians undr his Subjection that have with them any English Goods, where they had them and how they came by them, but cannot find any other ꝓsons Concerned in the sd Murdr then him whom they have already delivered up, they further say that they were sensible that the English were very angry, and that they had brought wth them two Indians to be Sacri-

Lib. R. ficed for their Satisfaction, but being asked whither they knew One Krawacom they answered they did, that he was an Indian belonging to the King of Checonesseck, a Towne upon the Horekills, that last summer he came among them to trade, and brought with him some Mannanoses w^ch^ he sold for Peake and soe the last ffall went away since w^ch^ they have not seene him nor hath he been since that time among them, they
p. 26 were then asked whither Krawacom did not belong to the Wiccomeese, to w^ch^ they answered noe and desired the Governo^r^ to send to the s^d^ place of Checonesseck, and he would then be satisfied that Krawacom did belong properly to the s^d^ Towne of Checonesseck, and not to Nanticoke or Wiccomese. They further say that the Indian Prisoner whom they had already del^d^ up as the murd^r^er they did looke upon as a Spiritt and a condemned ꝑson, and consequently in the Eye of the Law a Dead man, and therefore the Empero^r^ was much ashamed that such a One should be Creditted as to what he said before himself that was soe great an Empero^r^ and one instance they insisted on was that the said Prisoner had reported that the Nanticoke Indians had built a ffort in the woods in a remote place from the Towne where they lived, which if the English could find to be true that any such thing was, they the great men now p^r^sent would be bound to loose their lives as a Sacrifice to the English. They were then asked for what reason they had brought those two Indian Prisoners to be delivered up, they replied that severall Demands had by the English been made to have the two murder^rs^ ded: up more, that for their ꝑ^ts^ they cannot (after all the care have taken) find any such, that they doe ꝑceive the English are angry, & doe resolve to have them, and have often demanded their Delivery, w^ch^ they would as willingly doe if they could be found, for that they would live at Peace, and eate their bread with their wives and Children in quiettness if possible, and that therefore those two men who came prisoners with them did voluntarily and freely (without any Compulsion) surrend^r^ themselves a Sacrifice to the English in satisfaction for the said murd^r^ they being ꝑsons that had never (to their knowledge) been guilty of any murd^r^ or other misdemeano^r^ offered to the English, or guilty of any crime among themselves.

Adjourne Till Afternoone.

Afternoone of the same Day The Councell mett againe.

When the Governo^r^ & Councell give the Indians to und^r^stand that they have well considered of what they had delivered in the morning, and that we should be very well

satisfied if it were true that there were noe more Concerned Lib. R.
in the murd^{r} then that ꝑson whom they had already del^{d} up,
That Coll: Coursey should returne back with them to Nanti-
coke and discourse with the Empero^{r} and did hope a good
peace would Ensue, but whereas they had now brought over
two of their Indians Innocent ꝑsons, and noe waies guilty (as
they say) of any murder or misdemeano^{r} committed towards
the English or themselves, it was given them to und^{r}stand that
it was not our fashion to putt Innocent ꝑsons to death, but
would send them over wth Coll: Coursey who should keepe
them in Custody untill such time as the Business was fully
scanned, and whereas there was formerly two English Chil-
dren of Dickinsons and Watts taken by the Wiccomeese who
had some time lived with the Nanticokes, if then what they
have already alleadged that there are to be found noe other
murd^{r}ers then that one w^{ch} they have delivered up to us, and
if they would del. up those two Children, we would in lieu of
them returne the said two Indians, To w^{ch} they nor
where those two Children were that they did Wicco- p. 27
meese had killed them, we then told them that if upon
Enquiry we shall truly find that the said two Children are not
liveing & among them, we will nevertheless deliver up the
s^{d} two Indians as not desirous to shed Innocent blood and that
thereupon we hoped a happy Peace would Ensue, To w^{ch} they
replied that they were joyfull to be the Messeng^{rs} of this good
news to the Empero^{r} and that he would be very glad to
Receive it.

Vpon Consideration of the p^{r}misses it is Ordered. That
Coll: Coursey doe goe with the s^{d} Indians over to Nanticoke
(keepeing in his custody the two Prisoners brought over with
him) and there apply himself to Coll William Burges Com-
mand^{r} in Chiefe and acquaint him with these ꝑceedings, Who
is to make Demand of Krawacom and Papomco two Indians
whom the Indian Prisoner had accused of the murd^{r} and if
after all that cann be urged for their Delivery and other preg-
nant circumstances it shall appear that noe such ꝑsons are
among them, and that noe other ꝑson then that One Indian
already delivered up were concerned in the murd^{r} but that it
was onely a fallacy or fiction of the s^{d} Indian Prisoner to delay
time to prolong his life or find an Oportunity of Escape And
that the two English Children formerly taken by the Wicco-
meese are not liveing among them or within their knowledge,
That the two Indians w^{ch} came over wth s^{d} Coll: Coursey and
Committed into his custody be immediately released, and
Peace then to be Concluded with the Empero^{r} and his Indians
according to such ord^{rs} & Instructions as the said Command^{r}

Lib. R. in Chiefe hath already rec[d] from the Hon[ble] Thomas Notley Esq[r] Governo[r] Obleigeing the Empero[r] once a yeare at a certain time in some Convenient place to pay unto the R[tt] Hon[ble] the Lord Prop[ry] or his Governo[r] four Indian Arrowes as an Acknowledgm[t] of their Subjection to him, and Receiveing ptection from him und[r] Our Soveraigne Lord Charles the second by the grace of God King of England, Scotland, ffrance and Ireland Defend[r] of the ffaith &c:

Thomas Notley {locus sigilli}

Signed & Sealed. Will: Calvert {locus sigilli}

Henry Coursey {locus sigilli}

Lib. R. R. p. 159

[Prorogation of Assembly.]

Charles &c To all the Inhabitants of our said Province of Maryland greeting Whereas we did the second day of March One thousand six hundred seventy five cause to be published declared & proclaimed that we did intend to hold an Assembly of the ffreemen of our said Province upon the fifteenth day of May then next following, Which said Assembly upon the fifteenth day of June now last past wee did Prorogue untill the fifteenth day of May next ensueing the date hereof And for that the said fifteenth day of May & now nigh att hand & for severall other weighty & urgent occasions us thereunto
p. 160 moveing wee have thought fitt & doe hereby declare & publish that the same Gen[ll] Assembly shall be & is hereby prorogued from the said fifteenth day of May next untill the second tuesday in May Anno One thousand six hundred seventy eight whereof as well our members of our Upper house of Assembly as also all the Deputyes & Delegates of our lower house of Assembly & all other the Inhabitants of our said Province of Maryland whom itt may concerne are to take notice & to order their affaires accordingly And we doe hereby order & com̄and our respective Sheriffes of our severall Countyes that they upon sight of this our Proclamac̄on imediatly publish and proclaime the same, & give the respective Deputyes & Delegates of their severall Countyes particular notice of our will & pleasure herein Wittnes our selfe att our Citty of S[t] Maryes the seventeenth day of April in the second yeare of our Dominion &c Annoq Domi. 1677

Att a Council held at S^{t} Maries April 19th 1677 Lib. R. R.

Present the

Deputy Governour	Coll Henry Coursey
Chancellour	Coll Thomas Taillor
Secretary	Major Benj^{a} Rozer
Survey^{r} Generall	

Upon the petition of Chotike that his ffamily is in much want of Corne Ordered that he have three barrells of Corne from the Deputy Governour & that he be paid for it Out of the publique.

Att a Councell held at Mattapony Sewall the thirtith day of April 1677.

Present the

Deputy Governour	Coll Henry Coursey
Chancellour	Major Benj^{n} Rozer
Secry	
Survey^{r} Gen^{ll}	

Was then taken into consideration the way and manner of treateing with the Susquehanough Cinnigo & the rest of the Northern Indians & of concluding a peace with them.

It was Unanimously concluded on that Coll Henry Coursey one of the Council should be employed as Embassador or Envoy to be sent to New Yorke by the way of New-Castle upon Delaware to that purpose according to the tenor of p. 119 Comission & instructions to him then given dated this day the Comission signed by the Governour & Sealed with the great seale of this province the Instructions also Signed by the Governour & Sealed with his L^{opps} lesser Seale at Armes & are both expressed as follow Viz.

Thomas Notley Esq^{r} Leivtenant and Cheife Governour of the province of Maryland under the R^{t} Hon^{ble} Charles Absolute Lord & Prop^{ry} of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c. To all to whom these presents shall come or any wayes apperteine Greeting in Our Lord God everlasting Whereas the Susquesahanoughs Sinnigos & divers other nations of Indians inhabiteing to the Norward of this province, have formerly committed divers murthers & other Outrages within this province upon which there hath ensued a Warr betweene his Majestyes Subjects resideing within this Province under the Goverment of his said L^{opp} as well as with those resideing under the Gov^{r}ment of his Sacred Ma^{ties} Collony of Virginia, & the said Susquesahanoughs. And whereas the said Susquesahannoughs have sithence and

Lib. R. R. lately desired to come to a treaty of Peace with his said Lordshipp, and have (as I am informed) since the said Overture Submitted themselves to and putt themselves und^r^ the protection of the Cinnigo's or some other nation of Indians resideing to the northward of this Province, & within or neer unto the Territoryes of his Royall Highnesse the Duke of Yorke. Know yee That I have constituted Ordeined appointed and authorized as I doe hereby constitute, ordaine appoint & authorize Henry Coursey Esq^r^ One of his L^opps^ Councell for this Province as Embassadour or Envoy to treate with & conclude a firme peace with the said Susquesahannoughs Cinnigos or any other Indians now unknowne to us inhabiteing or resideing to the Northward of us within or without the Territories of his said Royall Highnesse, and from whom Wee have already received injury or may hereafter reasonably suspect Wee may receive injury by the confederacy betweene them and the said Susquesahannoughs, upon such reasonable termes as to him shall seeme meet & convenient according to his instructions; And fforasmuch as the said Indians doe now reside for the most part within the Territory of his said Royall Highnesse, or at least cannot be treated with but by a journey to be had through his said Highnesses Territory I doe hereby constitute Ordaine appoint & authorize the said Henry Coursey to treate with Edmund Andross Esq^r^ Seigneur of Sausurez Leivtenant & Governour Generall under his Royall Highnesse James Duke of Yorke & Albany &c of all his Territoryes in America, and to desire leave to passe through the said Territory under his Goverm^t^ to the treaty with the Indians aforesaid, and to request his assistance in the pcureing of a firme peace for all his Ma^ties^ Subjects in his Ma^ties^ Collony of Virginia as well as for those of this province with the Indians aforesaid Wherefore I doe request that the afore-
p. 120 said Henry Coursey (according to the Law of Nations may be received, creditted, and beleived, promiseing to ratifie confirme & approve whatsoever shall be done by him in the p^r^misses according to this my Comission as if it were done by my Selfe Given at S^t^ Maries under my hand and the great Seale of this province this thirtith day of April in the second yeare of his L^opps^ Dominion Annoq Dom. 1677.

Instructions for Coll Henry Coursey in Execution of his Comission for treaty with the Susquesahannough and Cinnigo Indians &c.

Imprimis You are with all convenient Speed to begin y^r^ journey towards New Yorke, by the way of Newcastle upon Dela-

ware in Order to your goeing into Albany there to treate with Lib. R. R.
the Cinnigo Indians, and at y^r^ arrivall at New Castle to Signifie to the Deputy Governour there for the time being in generall termes that you are sent to Colonell Andross by his meanes to come to a treaty with the Cinnigo Indians att ffort Albany or else where as Oppurtunity shall Offer, And you are there to endeavour to informe y^r^ Selfe from Cap^t^ Collier & others of the true State of the Susquesahannoughs, what number they are, upon what termes they are received by the Cinnigoes, whether there be not any of them that are not Submitted to the Cinnigoes, if any such be under whose protection they live, and how they may be treated withall, in Order to the Setleing an universall peace betwixt us, the Susquesahannoughs, Cinnigoes and the rest of the Indians to the Northward as also betweene the said Indians and all the Lowland Indians in League & amity with us.

2. In case any of the Cinnigoes Troopes be neere New Castle at your being there, you are to endeavour to speake with them, and to lett them know that you are upon your voyage to Albany to treate with their Rulers there of a firme peace, and to obteine if possible a cessation of Armes at least if you cann betweene them and all his Ma^ties^ Subjects in these parts, and for all Indians in these parts now in Amity with his said Ma^ties^ Subjects.

3. You are next to apply your Selfe to the Governour of New-Yorke and rendering him thanks for the Civilityes he hath shewne to this his L^opps^ Goverm^t^ to desire him to assist you in procureing a treaty for you with the said Cinnigo Indians, and the Susquehannoughs if yett there be such a nation.

4. When you shall come to a treaty with the Cinnigos you are to lett them know that Wee had no knowledge of them but by the Susquesahannoughs reports, that they from time to time told us that the injuryes we received in Our goods and the murthers of Our people were all perpetrated by the Cinnigoes, That Wee afterwards found Out that those very murthers which the Susquehannoughs fathered upon the Cinnigoes were committed by the Susquesahanoughs themselves, and that that was the reall cause of the Warr between us, And the injury to us was the greater because the Susquesahannoughs by the Articles of Peace between us were Obliged to give us twenty dayes warning of their intentions to Warr if p. 121
at any time they grew weary of the peace with us, which they notwithstanding in an Open hostile manner with the major part of their force and Some (if not all) of their great men present assaulted the house of Randall Hanson standing within three miles of their ffort and there continued in fight

Lib. R. R. One whole day after all which they had the confidence to endeavour to perswade Us it was the Cinnigoes that committed the Outrage.

5. In the Articles of peace with the said Cinnigoes & Susquesahannoughs (if yett the last be in a Capacity to treate by themselves) you must include the Pascattaway Indians by name and all other o^r^ Lowland Indians in Amity with us in Generall termes, because the publique ffaith is given to the Pascattoways that Wee will include them in Our peace with the Northerne Indians, And Wee are never Safe from the northerne Indians as long as they have any pretence of Warr with Our ffreind Indians nor from Our neighbour Indians as long as they can have any Colour of a Warr to hide their Owne faults and lay it upon their Enemyes.

6. Since this last instruction may prove the hardest part of your negotiation, and that the Northerne Indians may perhaps be unwilling to condescend to it from some injuryes done by Our neighbours to them unknowne to us, you are (in case they stick much at that Article) to enquire of the true causes of their quarrell, and to make the Cinnigoes and other Indians Satisfaction in the name of the Pascattaways, though Wee Our Selves be at the Charge of it, so to setle Our Owne Peace, nothing being so prejudiciall to us as a Warr, nothing more to the decreaseing of his Ma^ties^ Customes then such distructions as take the people from planting.

7 ffor the Rest of the Articles of the Peace they must be left most to your Owne discretion depending upon the information you shall receive in y^r^ voyage of the State of Affairs. If you find they aime at a Trade with us you must informe your selfe of what Articles are made by Coll Andross and by them fitt Others for Our Turne & way of tradeing. if no trade be aimed at there will be little more to incert but the common termes of inviolable peace & amity between them the Lord Proprietary of this Province and all his Ma^ties^ Subjects in these parts aswell in Virginia, as in Maryland, for if Wee include not them Wee shall Suffer as much in their passage through Our Country as in Our Reputation for haveing abandoned Our Brethren and fellow Subjects.

8. You are to informe y^r^ Selfe what presents are usually made by the Governour of New Yorke to the Indians in like Occasions, and to make the like in the name of his Lordshipp, as also to make a present of One hundred pounds Sterling to the Governour of New Yorke as a token of his L^opps^ thankfulnesse for his care and Kindnesse Shewne to this Province.

p. 122 9. You are to apply y^r^ selfe to M^r^ Jacob Leslier or any other for such monyes, Wampom, ffurrs or Truck you shall stand in need off which shall be paid him by the publick next Levy.

10. When you have fully informed your selfe of the State of affairs where you are designed, and of the manner of treateing with the Indians if you shall find the aforegoeing instructions deficient in any point which may be necessary for you in the execution of your Comission, you are there to use the utmost of your Care & endeavour to Act as may be most for the Service of his Lordshipp and the good and Safety of this Province according to the best of your judgment & discretion to which in such cases I wholly referr you. Lib. R. R.

Given at S^{t} Maries under his L^{opps} lesser Seale at Armes this thirtith day of April in the second yeare of his L^{opps} Dominion Annoq Dom. 1677.

Aprill the 30th 1677.

Comission for the peace in S^{t} Maryes County then issued to

John Jourdaine, Wm Boarman, John Coode, Wm Rosewell } Gentl of the Quor.

Wm Hatton, Richard Loyd, Tho: Gerard, Joseph Pile, Joshua Doyne, Clement Hill, Walter Hall, James Bowling, Richard Gardner } Gentl Justices

Dedimus potestat. to John Jourdaine & Wm Boareman

Att a Council held att S^{t} Mayes the 24th day of June Annoq Dom. 1677

Present

Thomas Notley Esq^{r} Liev^{t} Gen^{ll} & chiefe Govern^{r}

The Hon^{ble} { Philip Calvert Esq^{r} Chancel^{r} ; Wm Calvert Esq^{r} Principall Se^{cry} ; Baker Brooke Esq^{r} Survey^{r} Gen^{ll} ; Major Benj^{a} Rozer }

Whereas the Governour & Councell are informed that there are severall persons that are seated within this Province on the Seaboard side & doe pretend to be under the Govermn^{t} of New Yorke Itt is therefore ordered that a speciall Warrant be granted to M^{r} Wm Stevens for eight thousand acres of land to be proportioned out by him for the encouragem^{t} of such as will seat thence on the said Sea board side, & that such persons as seat there shall have Seven

Lib. R. R. yeares liberty to make good rights for the said land, paying to his Lord^{pp} only the Rent of two shillings sterl yearely for every hundred acres And further itt is Ordered That those that seat nearest the Hoarkills shall have out of the said Eight thousand acres One thousand acres of land for a ffamily, haveing in itt three working hands att the least And
p. 123 the rest of the Eight thousand acres to be proportioned out att five hundred acres each ffamily haveing in itt two workeing hands att the least Provided such as intend to seat thence shall settle betwixt this tyme & the last of Novemb^{r} next & there build & not desert their Plantac$\bar{o}$ns And itt is further ordered, that att the returne of Col Henry Coursey from New Yorke a letter be sent to the Governour of New Yorke to know whether those persons who have Incroached upon his Lord^{pps} Province doe own him for their Governour, that there may be a right understanding betwixt the two Govermn^{ts}

By the Lievten^{t} Gen^{ll}

p. 125 A Proclamac$\bar{o}$n

Taking into serious considerac$\bar{o}$n the great & notorious abuses & profanations of the Sabbath day by unlawfull Assemblyes of divers the Inhabitants of this Province on that day meeting together to drinke tipple & game to the great dishonour of Almighty God the discredit of Christianity debauch of youth, the encrease & Encouragm^{t} of all vice & oftentymes tending to the breach of his Lord^{ps} peace to the disturbance of other well disposed Inhabitants, For p^{r}venc$\bar{o}$n whereof for the future I doe hereby (by & with the advice & consent of his Lord^{ps} Councell) strictly charge & com̄and all & singuler his Lord^{ps} Justices of the peace Sheriffes Constables & other publick Ministers within this Province to take
p. 126 due Cognizance of the same within their severall & respective p^{r}cincts And that to the utmost of their power they proceed to put in due Execuc$\bar{o}$n the Lawes made against such abuses and profanation of the Sabbath day as aforesaid, strictly willing & requiring all Constables according to their Office att every County Court in the County where they live to make due p^{r}sentm^{t} of all & every the Offenders in such cases As also of all unlawfull meetings & Assemblyes of people mett together on purpose to drink tipple & debauch as well on any other the week dayes as on the Sabbath day And the Justices of the peace of each respective County are also hereby required to make strict Inquisic$\bar{o}$n into all such Offences comitted or done in the Countyes where they reside, And to binde over all & every the person & persons so offending to the good behaviour & to make his or their appearance att the

next Provinciall Court after the fact comitted And I doe also Lib. R. R.
hereby (by & with the advice & consent aforesaid) strictly prohibitt & forbid all housekeepers masters of ffamilyes dames Overseers & others in any wise to entertaine or suffer any such meetings or unlawfull Assemblyes as aforesaid att their houses on the Sabbath day or any other dayes in the week of which the Justices Sheriffes Constables & other publick Ministers of each respective County are also to take due Cognizance as aforesaid, & to take care that all & singuler the Offenders herein be bound to the good behaviour giveing good security for the same & for their appearance att the next Provinciall Court after such offence committed Given att the Citty of S[t] Maryes under the great Seale of this Province this second day of Octob[r] in the second yeare of the dominion of the right Hon[ble] Charles &c over this Province Annoq Dom: 1677.

By the Lievten[t] Gen[ll]
A Proclamacōn

Whereas severall Complaints to me have been made by severall his Lord[ps] good people Inhabitants of this Province of the grand & notorious abuses they have & doe daily receive in their stocks of hoggs horses & Cattle by rangers hunting in the woods without Lycence & driving away their stocks into places remote from their owne usuall & accustomed p. 127
rang to their great losse and damages, for p[r]vencōn of which great absurdityes for the future I doe hereby by & with the advice & consent of his Lord[ps] Councell strictly prohibitt & forbid all & all manner of persons whatsoever to range or hunt for wilde Cattle, horses, hoggs, in his Lord[sps] forrest or elsewhere within the Province, except itt be upon his or their own proper land without a lycence first had & obtained from my selfe or other person or persons lawfully authorized & impowered to grant the same, he or they obtaining such Lycence giveing good & sufficient security that he or they shall not any wayes injure or offer any violence to or in any wise damnifie any of his Lord[ps] good people the Inhabit[s] of this Province in their stocks of horses Cattle or hoggs, & that he or they haveing obtained such lycence shall not by vertue thereof p[r]sume to hunt in any neck or else whereof upon any mans land without leave or lyberty so to doe first had & obtained from the person or persons liveing upon the same or to whom the said land of right belongeth And I doe hereby by & with the advice & consent aforesaid further strictly charge & comand all & singuler his Lord[ps] Justices of the peace within this Province & other publick ministers of the

Lib. R. R. same to take due Cognizance of the same And that all persons whatsoever within the severall respective Countyes & p[r]cincts that shall offend therein or act contrary to the true intent & meaning hereof they binde to their good behaviour causeing him or them so offending to give good security for the same & for his or their appearance att the next Provinciall Court to be holden for this Province after such offence done & com̄itted Given att the Citty of S[t] Maryes under the greater Seale of this Province the second day of October in the second yeare of the dominion of the right Hon[ble] Charles &c over this Province Annoq Dom. 1677.

By the Liev[t] Gen[ll]
A Proclamac̄on.

Whereas att the laying of the publick Levy of this Province for these two yeares last past, itt hath been the custome & practice of severall the Sheriffes w[th]in this Province to bring in rebatem[ts] for severall persons returned in their lists of Titheables alleadging that they are runaway or dyed insolvent which is thought to happen meerly through the remisnes & negligence of the Sheriffes themselves not takeing care to secure or collect the same in due tyme, p[r]sumeing that they shall be allowed for the same in the publick levy. For
p. 125 p[r]venc̄on whereof for the future & to the end that the Sheriffes may be the more circumspect & diligent in the Execuc̄on of their Office for the tyme to come I doe hereby (by & with the advice & consent of his Lord[ps] Councell) charge & com̄and all & singuler the Justices of each respective County to perfect the gen[ll] lists of all the Titheables within their respective Countyes before such tyme as they shall transmitt the same to the Governo[r] Councell & Delegates att the laying the publick Levy, exempting no persons therein from paying Levyes, except only such as are bona fide under the age of sixteen yeares & poor indigent persons that have no visible Estates not able to worke or otherwise uncapable to pay the
Thos: Notley same And I doe hereby (by & with the advice & consent aforesaid) further publish & declare that every list so returned as aforesaid shall stand for good & shall in no wise be altered corrected or amended neither shall any Sheriffe or other person whatsoever be allowed for any persons in their County runaway or otherwise contrary to the said List after the same shall be returned as aforesaid from the Justices of their respective County Given att the Citty of S[t] Maryes under the great Seale of this Province this second day of Octob[r] in the second yeare of the dominion of the right Hon[ble] Charles &c over this Province Annoq Dom. 1677.

By the Lievt genll Lib R. R.
A Proclamacon

Whereas by the meanes care & endeavour of the Honble Col Henry Coursey by me in behalfe of the right Honble Charles Lord & Propry of this Province thereunto authorized appointed & comissionated under the great Seale of this Province, there is a peace lately had made & concluded on att ffort Albany within his royall Highnesses Territoryes of New Yorke between his Maties Subjects of this Province under the p. 124
dominion of the right Honble Charles &c aforementioned, his Maties Subjects of Virginia & the severall nations of Indians hereafter nominated (to say) the Sinnondowannes, Onjonges, Onondages, Oneydes Maques & Mattawax or Delaware Indians To the end therefore that the same may be effectuall firm solemn & of long continuance, & that all his Maties loving Subjects both of this Province & of the Colony of Virginia may reap the good & benifitt thereof I doe hereby (by & with the advice & consent of his Lordps Councell) will & require as also strictly charge & comand all & singuler his Lordps Officers civill & military within this Province & others the good people of the same to take due Cognizance of such peace made & concluded on as aforesaid That from hence forward they offer no violence or injury or use any act of hostility agt the said Nations of Indians or any of them, but that att all tymes & upon all occasions they maintaine & keep a friendly & neighbourly correspondency with all & every the said nations of Indians & treat them civily & courteously as friends & Neighbours giveing them no just occasion of offence whereby a breach may ensue Given att St Maryes under the great Seale of this Province the fifth day of Octobr in the second yeare of the dominion of his said Lordpp Charles &c over this Province Annoq Domi. 1677.

[Power to Governor.] p. 127

Charles absolute Lord & Propry of the Provinces of Maryland & Avalon Lord Baltemore &c To our right trusty & right welbeloved Councelour Thomas Notley Esqr our Lievtenant Genll & chiefe Governour of our said Province of Maryland greeting Whereas the severall exigencyes of our affaires are such that we finde itt wholy impossible for us to returne into our said Province of Maryland so as to be personally Present there att the tyme to which we have prorogued p. 128
our prsent Genll Assembly of that Province And itt is not easy for us att this great distance to make any well grounded Judgmt whether the necessityes of our said Province may or

Lib. R. R. may not require the actuall sitting of our said Gen[ll] Assembly att the precise tyme unto which they were so prorogued wee have resolved wholy to remitt the determinacō̄n of that important affaire unto you in whose fidelity care prudence & good conduct we finde our selves to have all imaginable reason to confide Wherefore we doe hereby give & grant unto you our said Liev[t] gen[ll] & chiefe Governour full power & absolute authority for us & in our name either by our Proclamacō̄n to be by yo[r] order for that purpose by authority of these p[r]sents issued forth in due tyme to prorogue our said Gen[ll] Assembly to such further day & tyme as you shall judge convenient without giveing them the trouble to meet att the tyme to which the same att p[r]sent stands Prorogued, or else to permitt our said Gen[ll] Assembly to meet att the tyme to which the same att p[r]sent stands Prorogued, & then in our name to Prorogue the same to such farther day as you in yo[r] discretion shall thinke fitting without makeing any session att such their meeting or lastly to permitt our said Gen[ll] Assembly to meet & sitt att the tyme to which the same att p[r]sent stands Prorogued, & then either by makeing a Session or without makeing a Session to to Prorogue the same in our name to such farther day & tyme & from tyme to tyme as you in yo[r] discretion shall judge most conducing to our service & the good & benifitt of our said Province And in case itt shall happen that you our said Liev[t] shall thinke itt fitting to permitt our said Gen[ll] Assembly to sitt att any tyme or tymes in our absence so as to make one or more session or sessions by passing of any Act or Acts in our absence Wee doe hereby farther give & grant
p. 129 unto you full power & authority for us & in our name to give our assent unto any such Act or Acts as you in yo[r] discretion shall thinke fitting to passe into Lawes in such manner as to passe the same into Lawes & to make the same have the force of Lawes within our said Province untill we our heyres or Successors shall publish our or their disassent unto the same Given under our hand & our lesser Seale att Armes the Eighth day of November in the second yeare of our Dominion over our said Province And in the yeare of our Lord Christ 1677

Ch: Baltemore

The Sup[r]scription of the aforegoing Com[con] was thus written

To our right trusty & right welbeloved Councelour Thomas Notley Esq[r] our Liev[t] Gen[ll] & chiefe Governour of our Province of Maryland in Maryland

Maryland ss.

By the Lievt Genll
A Proclamacōn

Lib. R. R. p. 147

Whereas the severall Clerkes of the respective Countyes within this Province have formerly bin very negligent in their severall Offices, by omitting (contrary to the duty of their places & the Lawes of this Province) to transmitt into the Secretaryes Office all such Alienacōn of lands as are entred upon Record on the Severall County Court bookes, not only to the great damage & prejudice of his Lordpp the Lord Propry of this Province in his rents & ffines for Alienacōn, but also to the great confusion in the Rent Rolls of the respective Countyes, so that his Lordpp cannot many tymes come to the knowledge of the tenants by which meanes in tyme itt may worke a greater mischief if previous remedy be not applyed These are therefore (by & with the advice consent & approbacōn of his Lordpps Councell) to will require & cōmand the respective Justices of peace in each respective County imediatly after the publicacōn hereof, that they order the Clerkes p. 148 of their respective Countyes fairly to transcribe from the Record booke an Extract of all such Alienacōns of land as have att any tyme heretofore been entred upon the Record booke of the County & as yett not transcribed & remitted to to the Secretaryes Office And the same Alienacōns so transcribed & extracted to transmitt into the Secrys Office of this Province by the first day of July next ensueing the date of this Proclamacōn To the end that the Secry of this Province & his Lordpps Receivers genll may make out a compleat rent roll for each County And every Clerke that shall refuse to transcribe & transmitt such Extract of the Alienacōns as aforesaid after notice or cōmand given him by the Justices of the County shall not only loose his Clerkeshipp of the County where he officiates, but shall likewise be lyable to all such penaltyes & fines as the Lawes of this Province in case of such neglects have provided And the Justices of each respective County or any three or more of them are hereby (by & with the advice & consent aforesaid) willed & required to make strict Inquisicōn whether the Clerkes of their respective Countyes have (according to the tenor of a certaine Act of Assembly made the last Sessions of Assembly & within the tyme therein lymitted) fairely transcribed into a book all & singuler the Lawes of this Province then in force, as by the said Act they are required An accot whereof under their hands & Seales they are to render unto the Lieut Genll att or before the last day of the next Provinciall Court which shall be held in Aprill next ensueing To the end that all such Clerkes that have been omissive & negligent in their office may be proceeded against according to the tenor of the said Act And

Lib. R. R. the Clerkes of each respective County are hereby willed & required to transmitt unto the Hon^ble^ Thomas Notley & Benjamin Rozer Esq^r^ his Lord^pps^ Receivers gen^ll^ by the first day of July next ensueing the date hereof a true & just extract of all
p. 149 such ffines & Amerciam^ts^ as are due unto his Lord^pp^ the Lord Prop^ry^ from the severall persons within their respective Countyes, & not yet satisfied or remitted And that they doe yearely & every yeare hereafter att or before the first day of Octob^r^ in each respective yeare transmitt unto his said Lord^pp^ to his Liev^t^ gen^ll^ or to his Receivers gen^ll^ for the tyme being a true & perfect extract of all such ffines & Amerciam^ts^ as shall or may hereafter become due & payable to his said Lord^pp^ from the severall persons within their respective Countyes Every Clerke or Clerkes refuseing or neglecting to transmitt such true Extract of the ffines & Amerciam^ts^ within their respective Countyes as aforesaid by the tyme before lymitted, shall not only loose his or their place or places of Clerkeshipp, but also be lyable to such other fines & penaltyes as the Justices of the Provinciall Court shall thinke fitt to inflict upon them for their contempt And the Sheriffes of each respective County are hereby willed & required in due tyme to make Proclamac$\bar{o}$n hereof in the most publick & convenient places within their respective Countyes, to the end that all persons herein concerned may not plead ignorance for their neglect or contempt, if they shall not punctually observe and effectually performe what they are hereby required. Given att the Citty of S^t^ Maryes under the great Seal of this Province the thirteenth day of ffebruary, in the third yeare of the Dominion of the right Hon^ble^ Charles absolute Lord & Prop^ry^ of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c Annoq Dmi 1677.

p. 160 Charles &c. To all the Inhabitants of Our Province of Maryland Greeting whereas wee did Purpose and Intend, to hold a Generall Assembly of the ffreemen and Delegates of our said Province of Maryland, att Our Citty of S^t^ Maryes the second Tuesday in May next Ensuing the date thereof which said day being neere att hand for severall weighty and urgent Occations and affaires Relating to us, Wee have by the Advice and Consent of Our Privy Councell of our said Province of Maryland thought fitt and doe hereby declare and Publish, that the same Generall Assembly shalbe and is hereby Prorogued, from the said second Tuesday in May next untill the sixth day of May which shalbe in the yeare of Our Lord One thousand six hundred seaventy nine whereof as well Our members of Our Upper House of Assembly, as alsoe all the Deputys and Deligates of Our Lower house of Assembly,

and all other the Inhabitants of our said Province of Maryland whom itt may Concerne are to take notice, and soe order their affaires accordingly and wee doe hereby order and Comand our Respective Sheriffs of Our severall Countys, that they upon sight of this Our Proclamacon Immediatly Publish and Proclaime the same, and give their Respective Deputys and Deligates of their severall Countys particular notice of Our will and pleasure herein. Given att S[t] Maryes und[r] the Great Seale of our Province of Maryland Wittnes our selfe att our Citty of S[t] Maryes the ffourteenth day of ffebruary in the third yeare of our Dominion Over Maryland Annoq Domi 1677. Lib. R. R. p. 161

[Powers to Chancellor.]

Charles absolute Lord & Prop[ry] of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To our right trusty and right welbeloved Uncle & Councello[r] Philip Calvert Esq[r] our Chancelour of our Province of Maryland greeting Whereas you have given us to understand that you have sundry & divers matters & causes, which, for the nature & quality of them doe require proces out of & hearing & determinacon in our high Court of Chancery within our Province of Maryland And that you have severall Originall writts to sue out of our said Court of Chancery for divers matters & causes determinable att comon Lawe And in reguard you have the custody of our great Seale of our said Province of Maryland And that itt is & every hath been unusuall & unaccustomary for the keeper of our great Seale of said Province of Maryland to Seale any writts of scire facias Subpenas or any other proces out of our high Court of Chancery in his the said keeper of the Seale own suite or cause, without especiall lycence & warrant from us or our Liev[t] gen[ll] of our said Province for the tyme being first had & obtained. Wee willing that you should have & enjoy the same right Law & priviledge in all our Courts within our said Province of Maryland in equality with all the rest of our good & loveing Subjects of our said Province And that you be in no manner precluded from the benifitt of our Lawes in Courts of Law or Equity within our said Province by meanes or occasion of your being keeper of our great Seale & Chancelo[r] of our said Province Wee doe therefore hereby authorize & impower you the said Philip Calvert Chancelo[r] of our said Province of Maryland & you are hereby fully & absolutely impowered & Authorized to Seale with the great Seale of our said Province of Maryland all such writt or writts of scire facias Subpena or any other writts or proces whatsoever out of our high Court of Chancery which from tyme to tyme for the tyme of yo[r] being our Chancelour or keeper of our great p. 146

locus sigilli

Thoma Notley

Lib. R. R. Seale of our said Province you shall have occasion for or sue
p. 147 out in your own proper cause or causes suit or suites Provided all wayes that all such writts of scire facias Subpenas or other proces whatsoever which you the said Philip Calvert shall seale with the great Seale of our said Province of Maryland in your own proper cause or suite out of our high Court of Chancery of our said Province of Maryland as aforesaid, you cause to be entred on Record in the Secry's Office of our said Province before the Execucōn or serveing the said writts scire facias Subpenas or other proces aforemencōned And our Secry of our said Province for the tyme being is hereby willed & required to cause all such writts as aforesaid to be Recorded in our said Secrys Office And the Secry or his chiefe Clerke to write entred on the backside of the writt, & Subscribe his or their name underneath Wittnes our trusty & welbeloved Thomas Notley Esq^{r} our Liev^{t} over our said Province of Maryland Given under our lesser Seale att Armes the fifteenth day of ffebruary in the third yeare of our dominion Anno 1677

p. 129 By the Lievtenant Gen^{ll}

Maryland ss.

Whereas I am given to understand by a letter received from Cap^{t} Thomas Walker high Sheriffe of Som^{r}sett County, as also by the deposicōn of W^{m} Keene of the same County that there is lately a barberous murder cōmitted by some Indians att the house of David Williams of the said County upon himselfe & his whole ffamily These are therefore to will & require as also strictly to charge & cōmand you Col W^{m} Coleborne Comand^{r} in chiefe of all his Lord^{pps} foote militia in the County of Som^{r}sett aforesaid, upon sight hereof (if occasion shall require to sum̄on all the forces of the said County under your cōmand to be in readines well & compleatly fixed for the defence & safeguard of your County att an houres warning upon paine of death And if you shall see just reason & occasion requires more men & amunition for the defence & safeguard of yo^{r} County then yo^{r} County of itt selfe can procure Signifie the same to me together with what quantity of men Armes & Am̄unition more the defence & safeguard of your County shall require with all expedition, & itt shall upon first notice given by you be provided & sent to you for your
p. 130 assistance in which your proceedings you are hereby also willed & required to take the advice of M^{r} W^{m} Stevens & Cap^{t} Thomas Walker of your County to whom you are upon such urgent occasions to addres your selfe & to whom I have wrote to afford you all aid & assistance as to their advice therein to the utmost of their abilities And further if itt shall so happen that the whole Nation of Indians are in a generall

desertion in your partes Then you are imediatly to dispatch Lib. R. R.
away the intelligence thereof to me with all expedicōn Otherwise if you finde that only some party of them have cōmitted this murder, you are then to demand satisfaction for the same
locus And that the authors thereof may be delivered upp to
sigilli you An exact account whereof as also of the true state of
Thomas affaires there you are from tyme to tyme to render to
Notley me or to me & his Lord^pps Councell in convenient tyme And whereas itt so happens that I am somewhat remote from your parts so that sometymes imediate orders & instruccōns from my selfe may not come tyme enough to yo^r hands You are hereby ordered willed & required to follow & observe all such further orders & instruccōns as you shall receive from either myselfe & his Lord^pps Councell or from his Lord^ps Councell only in the pursuance of yo^r Cōmission Given under my hand & Seale this Seventeenth day of ffebruary in the third yeare of the Dominion of the right Hon^ble Charles &c over this Province Annoq Dom. one thousand six hundred seventy seven.

Gentleman

By the inclosed from the Governour you are fully instructed how to demeane your selves in this affaire of the murder of Williams & his ffamily, & the provideing for your further securityes: We have only this to add in explanacōn of the order in that clause which impowers you to demand the murderers, you are to understand that you must first make a diligent & due Enquiry who are the murderers & how strong their party is ere you demand them, & not upon slight presumptions to hazard a denyall when perhaps you may not demand the partyes that perpetrated the murder To the rest of the order there is little of explanacōn needfull, but in case you Col Coleborne M^r Walker & M^r Stevens cannot meet p. 131
together, that the first of them that shall receive these doe imediatly (or att least with all speed that an affaire of this importance will permitt certifie us according to the order from the Governo^r of the true state & condition of yo^r County & the affaires thereof, certainly in this affaire being absolutely necessary to ground our future resolutions The Court will probably hold till Thursday or Friday night, wherefore we should be glad to heare from you while the Councell is together that if need be we may effectually assist you. So wee cōmitt you to Gods protection, & rest

ffrom S^t Maryes — Yo^r assured friends
ffeb. 18^th 1677 — Philip Calvert
W^m Calvert
Baker Brooke
Tho: Taillor
Benj^a Rozer

Lib. R. R. Superscription

For Col W^m^ Coleborne Com̄and^r^ of his Lord^ps^ forces both horse & foote, in Som^r^set County

To be communicated to M^r^ W^m^ Stevens & Cap^t^ Thomas Walker.

Propositions made to the Maques & Sineques Indians by Henry Coursey Esq^r^ on the behalfe of the right Hon^ble^ Charles Lord Baron of Baltemore Lord & Proprietary of Maryland, & for all his Ma^ties^ Subjects in Virginia & Maryland.

Being informed that the Maques Sineques &c are of this Governm^t^ & faithfull & constant friends to the English under our great King I am come from my Lord Baltemore Lord Proprietor of Maryland & all his Ma^ties^ Subjects of Virginia & Maryland to see and speak with you here.

That though through mistakes some discontents or injuries may have happened between us heretofore, now upon the good report of you which I finde we are willing that all what is past be buryed & forgott you takeing care (as we shall on our parts) that your Indians nor none liveing among you or
p. 132 comeing through your Country doe for the future injure any of our persons, Piscattoway or other our Indians liveing with us, or goods And if any ill persons should doe us any harm, that there be p^r^sent full satisfacc̄on given for all injuries or damages.

The above being observed so that no injury or dam̄age be done, or satisfacc̄on given we shall allwayes esteem & treat you as our good Neighbours & friends.

And in case hereafter any difference should happen betwixt you & the Indians in league with us, that you will not imediatly make warr before that we know the occasion, so that thereby we may call them to accompt for the evill done to you, & to propose satisfaction to you for that wrong, & soe to continue the peace.

Interpreted by Alex Cornelis who was assisted by Mr Arnout Cornelis Viele.

The Maques Answer to the proposic̄ons made to them the fourth of this instant by the Hon^rd^ Col Henry Coursey authorized by Charles Lord Baron of Baltemore Lord Proprietor of Maryland in the Court house of Albany the sixth day of August Anno. 1677.

The names of the Sachims are of the
1^st^ Castle. Caniachkoe
Ailiagari
Rootee

2[d] Castle.	Caslenossacha	Lib. R. R.
3[d] Castle.	Cannondondawe, who was Speaker	
	Odianne	
	Tagansanagoe	
	Senachedgie	

First they say with a preface

Wee are glad that the Kings Governo[rs] of Maryland & Virginia have sent you hither to Speak with the Maques, as also that the Governo[r] gen[ll] hath been pleased to destinate & appoint this place to Speak with all nations in peace, findeing p. 133 this a fitt place for the same, for which we doe returne his honour hearty thanks, especially that his honour hath been pleased to grant you the priviledge for to speak with us here, seeing that the Governour gen[ll] & we are one, & one heart, & one head, for the Covenant that is betwixt the Governo[r] gen[ll] & us is inviolable, yea so strong that if the very thunder should break upon the Covenant chain, itt would not break itt asunder.

Wee are likewise glad that we have heard you speak, & now we shall answer. If in case any of our Indians should injure any Christians or Indians in your parts, or your Christians or Indians doe any damage to our Indians, we desire that on both sides the matter may be composed, & that which is past to be buryed in oblivion.

They say farther, that the Sennekes were upon their journey to come hither with six hundred men but for feare turned back again. but we were not afraid to come here, doe give thereupon a drest Elk skinn and a beaver.

2[dly] Wee have heard you speak, & now we shall answer unto your propositions. You have said that all which is past formerly shall be buryed & forgott, which we doe likewise, holding ourselves innocent of any injury done to any of the nations, Maryland or Virginia, but have allwayes Spoke with one another in friendshipp & have likewise received many favours, bread & other provisions, for which we humbly thank you And if any doe accuse us of haveing done any injury or damage there, they doe bely us, we haveing been but twice there, doe give thereupon two beavors.

3[dly] If any difference should arise betwixt you, yo[r] Indians & our Indians, we desire that there may not imediatly a warr arise upon the same, but that the matter may be moderate & composed betwixt us And we doe engage for our parts to give satisfaction to you for any evill that our Indians might happen to doe, & doe give thereupon two beavers.

4[thly] They sing a song after their manner, being their p. 134 method of a new Covenant made, which they doe undertake to hold firm, been the first tyme they have seen any author-

Lib. R. R. ized from Maryland & Virginia, & say farther, we are glad & doe welcome his honour the Colonel with a bever & a drest Elk skin for his trouble in comeing so farr a journey.

5thly They doe sing another song, the meaning whereof is, that their people might not forgett what past betwixt them & the Colonell, but might be all wayes mindfull of what is done in this house ordained to that end by the Governor genll And if the Sinnekes now or any tyme hereafter should appoint any other place for to speak with you in their own Country or elsewhere, we desire that itt may not be accepted, but that this be & remaine the only appointed & prfixed place And all that was propounded by you the fourth of this instant, we desire that itt may be punctually observed upon your side, as we shall upon ours And if you have a minde hereafter to speak with us, we desire that itt may be here & no where else doe present a drest Elk skinn.

6thly They say, we doe return you hearty thanks for the releasing of the two sonns of Canoncondawe* & likewise that you beheaded the Sachim of the Susquehannes named Achnaetsachawey who was the cause of their being taken Prisoners, & doe prsent five beavers.

*the cheife Sachim of the Maques.

This is a true copy translated compared & revised by me Robert Livingston Sec.

Interpreted by Akus Cornelis, who was assisted by Arnout Cornelis Viele.

The Sinnondowannes & Cayouges answer to the proposicōns made to them the two & twentieth of August 1677

p. 135 By the Hon[rd] Col Henry Coursey authorized by Charles Lord Baron of Baltemore Lord Proprietor of Maryland in the Court house of Albany the day & yeare above written

The Sinnondowannes Sachims are
Adondareechaa, Speaker
d' Canendodo
Thowekinnio
Kaianwere
Die die hokaran
Ogneraie

Brethren we are now come upon yor sending for Whereas we have allwayes had a firm Covenant with this Governmt which hath been faithfully kept by the Governour genll whom we have taken to be our greatest Lord, for which we doe give him hearty thanks for he hath putt aside all mistakes which have happened, we never had warrs with this Government but with yours, & now you are come from Maryland & Vir-

ginia to speake with us in his p[r]sence, And lett that which Lib. R. R.
you have proposed to us be as fast & firm as the Covenant we have with the Governour gen[ll] Wee humbly thank you that you have sent for us to speake with us in this Governm[t] & doe p[r]sent halfe a beaver.

2[dly] You are come here to speak with us of good things, & we will give you a good Answer thereupon, doe give one beaver.

3[dly] Wee thank you that you doe bury & forgett all former discontents & injuries, as we doe the same, & never more to be remembred; for we know very well our people have been offensive unto you, we desire and recommend unto you the continuacō̄n of the Covenant now made betwixt us, as that which we have with the Governo[r] gen[ll] doe give one beaver.

4[thly] In case any of yo[r] Indians doe any hostility to us, we shall acquaint you therewith, before wee take upp the ax against them And we desire the like of you And the reason that we plundred the English there, was their entertaining of those Indians that were our Enemies, but we promise never p. 136
to doe the like, doe give one beaver.

5[thly] Wee doe thank you for the p[r]sents given to us, & we shall punctually observe that which you have propounded to us, desireing the like upon your side. Itt is concluded in our Castle, that all the Sachims shall come here the next Summer about the month of June to make propositions, & itt is their earnest desire to see Col Coursey here, or some other authorized from his Governm[t] doe give a beaver.

The Cajouges Sachims answer being named viz.

Attawachret, who was Speaker
Soliassiowa
Assendo
Sonnowdaendowanne
Dogaweyoo
Tarondatgethoo
Kaneheratt

They speak as followes

1. Wee thank you for your sending for us, & for the waggon we had from Schinnechtady hither, though the smallest belt of Wampum was sent to us, we doe thank you & our heart is good, doe give a small beaver.

2. We doe absolutely approve & confirme the Sinnondowannes answer, for our resolution was taken together, doe give two beavers.

3. They repeat the Answer againe & shall observe that which is propounded to them, & doe say, we thank kindely that you have buryed all former discontents or injuries as we doe the same, & give two lapps.

Lib. R. R. 4. This is the first tyme we have seen any authorized from your Governm^t & doe thank you for your propositions, & in case any mischiefe doe happen Before we come home, that
p. 137 must not be accompted for so soon as we come home, we shall publish this, but if any harm be done to your Indians by us for the future we will make you satisfaccōn to the full, desireing the like of you, doe give two bevers.

5. We doe thank you likewise for the propositions you have made, & for the p^rsents given us for our fair journey, doe give five lapps.

This is a true copy translated compared & revised by me
Robert Livingston Sec.

Interpreted by M^r Gerrit Van S. Lichtenhorst. The Onnondages Answer to the proposicōns made to them the twentieth day of July 1677 by the Hon^rd Col Henry Coursey authorized by Charles Lord Baron of Baltemore Lord Proprieto^r of Maryland, in the Court house of Albany the one & twentieth of July 1677

The names of the Sachims are
Carachkondie, who was Speaker
Tanonianichta
Sienocharij
Onirequichtaro

They say, we are sent for by a belt of Zewant to speak with his Honour the Governo^r gen^ll here And afterwards a belt was sent to us by Col Coursey authorised by Maryland & Virginia that we might make the greater hast to come downe, which we have done And he saith, that we nor none liveing amongst us shall for the future injure any of their persons or Goods whereupon we Answer & promise, that for the future we shall not injure or doe any damage to the people of Maryland or Virginia, & doe thank the gentlemen there that they doe exhort us to the peace, for we are so minded but doe
p. 138 acknowledge that we have killed of yo^r Christians & Indians formerly, whereof Jacob Young als my friend was a great occasion thereof, but we desire now that all which is past may be buryed in oblivion, & doe make now an absolute Covenant of peace, which we shall binde with a chaine, for the Sealing of the same, doe give a belt of thirteen deep.

2. They doe againe rehearse that Jacob Young was a great leader & Cap^t against them, whereby the warrs hath been continued. But even as the Governo^r of Cannida had warr with us whereupon a good peace followed, so itt is now with us To which peace we desire that God Almighty who dwells in heaven may give his blessing thereunto And suppose that

any difference should arise hereafter betwixt us & you & yo^{r} Lib. R. R.
Indians, we desire that we might give one another Satisfaccōn, & not imediatly to fall in warr, doe give three beavers.

3. We doe lett you know, that there are of our foure Castles of the Sinnekes out a fighting against the Susquehannes You may therefore warn your Indians that there may be no injuries or damages done hereafter, & so to continue the peace, doe give two beavers.

This is a true copy translated compared & revised p me.
Robert Livingston Sec.

Interpreted by Mr Gerrit Van S. Lichtenhorst.

The Onneydes Answer to the propositions made to them the twentieth day of July 1677 by the Honrd Col Henry Coursey authorized by Charles Lord Baron of Baltemore Lord Prop^{r} of Maryland in the Court house of Albany the one & twentieth of July 1677

The names of the Sachims are
Swerisee, who was Speaker
Sarechtoa
Carrachyndia
Canenthare

They say, we doe absolutely approve of that which the p. 139
Onnondages have now said, calling them their ffathers as they doe likewise the Christians of this Government, & are willing & ready to obey the comand of the great King Charles, who liveth over the great Lake, meaning our Sovereigne Lord the King of great Brittaine & doe p^{r}sent a belt of Zew^{t}

2. We doe recommend that you will take care (as we shall on our parts) that the proposicōns you made yesterday be punctually observed There is formerly one of our Indians wounded by you, which occasioned our plundering of your houses. Wee must also acknowledge that we have killed some hoggs & beasts to eat when we were a hungry, but never to have killed any Christians, doe present two Otters.

3: Wee are now come together to make the Covenant, & doe againe absolutely approve of that which the Onnondages have done; but doe lett you know that there are twenty of our Indians gone out to fight against the Indians of your Nation we desire that if they doe any harm, that itt may be excused this tyme, because itt is unknown to them And if we for the future after our people are come home shall use any hostility that way, then you may think we doe not according to our promise, but we are not so minded, doe give two bevers.

This is a true copy translated compared & revised p me
Robert Livingston Sec.

Lib. R. R. N. B. The Oneydes were p^r^sent when the proposic$\bar{o}$ns were made to the Onnondages & when they gave their Answer.

Articles of peace & Amity concluded & agreed upon between the right Hon^ble^ Cecilius absolute Lord & Prop^ry^ of the Provinces of Maryland & Avalon Lord Baron of Baltemore, & Amoungus Emperor of Assateagues this sixteenth of June 1668.

p. 140 Imp^rs^. Itt is agreed upon, that from this day forward there be an inviolable peace & amity between the right Hon^ble^ the Lord Proprietary of this Province & the Emperor of Assateague upon the Articles hereafter in this treaty to be agreed upon to the worlds end to endure And that all former acts of hostility & dam̄ages whatsoever by either party sustained be buried in perpetuall oblivion.

2^dly^ That the said Emperor of Assateague shall deliver upp the whole Nation of Wiccomisses, & all those Indians that protected the murderers of Cap^t^ Oeberr that lived att Sicakoane towne to the Hon^ble^ the Governo^r^ of this Province And further that if any Indian Subject to the said Empero^r^ shall hereafter chance to kill an English man, the said Empero^r^ shall be obliged to deliver such Indian upp to the Governo^r^ of this Province as a Prisoner.

3^dly^ For as much as the English cannot easily distinguish one Indian from another, that no Indian shall come into any English plantac$\bar{o}$n painted, & that all the Indians shall be bound to call aloud before they come within three hundred paces of any Englishman's cleare ground, & lay downe their armes whether gun bowes or arrowes or other weapon for any English man that shall appeare upon his call to take upp, & in case no one appeare, that he shall there leave his said armes if he come neerer And that afterwards he shall by calling aloud endeavour to give notice to the English of his neerer approach And if any English man shall kill any Indian that shall come unpainted & give notice & deliver up his armes as aforesaid, he shall dye for itt as well as an Indian that kills an English man And in case the Indians & English meet accidentally in the woods, every Indian shall be bound imediatly to throw down his armes upon call And in case an Indian so meeting an English man shall refuse to throw downe his Armes upon call, he shall be deemed as an Enemy.

p. 141 4^thly^ The priviledge of crabbing fowling hunting & fishing shall be preserved to the Indians inviolably

5^thly^ That every Indian that killeth or stealeth a hogg calfe or other beast or any other goods, shall undergoe the same punishm^t^ that an English man doth for the same offence.

6thly In case any Servants or Slaves run away from their masters, & come to any of the Indian townes within the territoryes of the said Amungus & his Subjects, they shall be bound to apprehend the said fugitives, & bring them to the next English plantacōn to be conveyed to their masters And in case any Indian aforesaid shall convey or assist any such fugitives in their flight out of this Province, that he shall make their respective Master or Mistris of such Servants or Slaves such satisfaccōn as an English man ought to doe in the like case. Lib. R. R.

7thly That the said Emperr shall not make any new peace with our Enemyes, nor shall make any warr without the consent of the right Honble the Lord Proprietary or his chiefe Governor for the tyme being.

8thly In case the said Amungus or any Indian subjects to him shall kill Ababcon or any of his Indians or any other in peace & amity with the said Lord Propry shall be esteemed as great an offence as killing of an English man.

the marke
O
of Amungus

[Letter of Notley to Council.]

Gentm ffebry 17th 1677 about foure houres post meridian.

Just now I received a letter from the Honble Chancelor dated yesterday, inclosed in which I found a letter of Mr Thomas Walkers Sheriff of Somrsett County dated the 15th instant, which brings the sad & unexpected intelligence of the murther of David Williams & his ffamily in Wiccocomico in Somrsett County, together with the deposition made p Wm Keene before John Winder as also yor order made in Court upon the arrivall of the Letter from Walker. I am of opinion no more could be done then what you ordered in Court upon so strange & unexpected intelligence; all that I can further advise untill we have more intelligence from Somrsett County is, that you imediatly presse boate & hands to be well manned, & to send away to Thomas Walker to gett further intelligence, & that some discreet person be sent in the boat for expedicōn sake And that you write to Col Coleborne, Walker & Mr Wm Stevens that they advise together for the discovery of this murther (if not yet found out) who are the murtherers And that they write me & the Councell, or that one of them that can be first mett with doe write us of the true state of affaires in the said County And if the County be in danger by the Indians, then to advise us of their wants either as to men or Amunition, & they shall be speedily supplyed especially

Lib. R. R. with amunition & if their case require itt, with men also And order the letter be directed to be left with the Chancelo^{r} (for my selfe & the Councell to consider thereon what further necessary to be done) where I shall cause the post daily to attend to bring me advice from thence. I have written Col. Coleborne Walker & Stevens to this effect, & that they stand upon their guard untill they heare further from myselfe & the Councell. For my part I am of opinion that Pocatap is the murtherer or the cause thereof & that no Susquahannoh is there, but that Pocatap & his Accomplices are the authors thereof, but I hope its not a gen^{ll} defecc$\bar{o}$n of all the Indians, but only Pocataps party, which if so, we shall then be able to deale with him & his. I shall not write Col Calvert therefore doe hereby order him to cause his Cap^{t} Lieu^{t} to draw his men together & see their armes fixt, & to be att an houres warn-
p. 143 ing, upon paine of death. And that he order Cap^{t} Cammell to doe the like, And I shall order his Major & Cap^{t} Gerrard to doe the same And I hereby order Col Brooke to cause his Officers of his regiment to doe the like And I shall send orders to Col Douglas to the same effect; for I thinke itt very convenient to be in a readines, & that we have men fixt if occasion require If you think any thing more att p^{r}sent (before we gett further intelligence from Som^{r}sett County) to be done ordered or advised, lett me heare from you p the S^{t} Maryes post whom I sent downe to the Chancelo^{r} this morning. Lett the person entrusted to be sent to Som^{r}sett County for intelligence be instructed to make a speedy returne, if there be any great danger. I shall not trouble you more att p^{r}sent, but leave you to consider & advise upon the p^{r}misses, & expect yo^{r} Answers hereunto p the S^{t} Maryes post I am

To his Lord^{pps} privy Councell
for the Province of Maryland

Gent^{m}
Yo^{r} most humble Servant
Thomas Notley

I desire the Provinciall Court may not upon this intelligence be adjourned, but that as much busines as possibly can be done may be dispatched And if upon the next intelligence from Som^{r}sett County you finde any urgent occasion for my p^{r}sence with you, I shall upon the receipt thereof wait on you.

Idem Thomas Notley

I hope we shall heare further from Som^{r}sett County before the Court end And then we shall have a full Councell to debate matters if occasion require. After you have perused the inclosed Comission to Col Coleborne. I desire you to

inclose the same to him in a letter, with such further orders & instruccōns as you shall think necessary to add to him Lib. R. R.

Thomas Notley

Supscription

To the Hon^ble^ Philip Calvert Esq^r^ Chancelo^r^ of Maryland these p^r^sent To be cōunicated to his Lord^ps^ Councel att the Citty of S^t^ Maryes.

[Treaty with Nanticokes.]

Articles of peace and amity concluded & agreed upon between the Right Hon^ble^ Charles Lord & Prop^ry^ of this Province &c. And Vnnacokassimon Empero^r^ of Nantecoke this 28^th^ of March 1678. p. 153

Imprimis. It is agreed upon that from this Day forward there be an Inviolable peace & amity between the Right Hon^ble^ the Lord Prop^ry^ of this Province & the Emperor of Nantecoke upon the articles hereafter in this treaty to be agreed upon to the worlds end to endure & that all former acts of hostility & Damages whatsoever by either party sustained be buried in perpetuall oblivion

2. That the said Empero^r^ of Nantecoke shall deliver up all Indians that shall come into his Dominion that are or shalbe Enemies to the English and further that if any Indian Subject to the said Emperor shall hereafter kill an English man that the said Emperor shall be obliged to deliver such Indian up to the Governo^r^ of this Province as a prisoner.

3^dly^ fforasmuch as the English cannot easily distinguish one Indian from an other that noe Indian shall come into any Englishmans plantation Painted & that all the Indians shall be bound to call aloud before they come within Three hundred paces of any English mans Cleared ground & Lay downe their armes whether Gunn Bowes or arrowes or other Weapons for any English man that shall appeare uppon his call to take up & in case no one appears that he shall there leave his said armes if he come nearer & that afterwards by calling aloud endeavour to give notice to the English of his nearer approach & if any English man shall kill any Indian that shall come vnpainted & give such notice & deliver up his armes as aforesaid he shall Die for itt as well as an Indian that kills an English man & in case the English and Indians meet in the woods accidentally every Indian shall be bound immediately to throw downe his armes upon call & in case any Indian soe meeting an English man shall refuse to throw down his arms upon call he shall be Deemed as an enemy. p. 154

4. The priviledge of Hunting, Crabing, fowling, & fishing shall be preserved to the Indians Inviolable

Lib. R. R. 5. That every Indian that killeth or stealeth an hog or Calfe or other beast or any other goods shall undergoe the same punishment that an English man doth for the same offence.

6thly In case any Servant or Slaves run away from their master or Children from their Parents & come to any of the Indian townes within the Territories of Vnnacokasimmon and his subjects they be bound to apprehend the said ffugitives & bring them to the next English plantation to be convaied to their Masters & in case any Indian aforesaid shall Convaie or assist any such fugitives in their flight out of this Province that he shall make their Respective master or mistrisse of such servant or slave such satisfaction as an English man ought to doe in the like Case.

p. 155 7ly That the said Emperor shall not make any new peace with our Enemyes nor shall make any War without the Consent of the Right Honrble the Lord Propry for the time being.

8thly In case the said Vnnacokasimmon or any Indian Subject to him shall kill Ababco or any of his Indians or any other in peace and amity with the said Lord Propry shalbe Esteemed as great an offence as killing an English man.

9thly That in case any Indian or Indians of any other nation or nations that shall come within his Dominion or Territory & shall by him or other Indians under him be intertained and that any of them the said Indians shall kill any English or kill or destroy any hoggs Cattle or horses or shall break up any English mans house & steale his or their goods that he the said vnnacokasimmon shall be responsible for the same & in case hereafter he shall have knowledge of any other murderers tht killed David Williams & his family that he shall be hereby engaged to deliver them up to Mr Thomas Walker or any next magistrate to be by them Convaied to the Governor as soon as found

10thly That vnnacokasimmon shall pay yearely to the vse of the Lord Propry four Indian arrows every yeare on the 20th day of October to Mr Charles Hutchins as an acknowledgemt to his Lordship and as a token of the Continuance of the Peace.

the marke of
Vnnacok CaSimon

Lib. R. p. 30 At a Councell held at the Old Court house at the Citie of St. Maries the Thirteenth Day of June in the third yeare of the Dominion of the Rtt Honble Charles &ca over this Province Annoq Domini 1678

Lib. R.

The Hon^ble { Thomas Notley Esq^r Governo^r; Philip Calvert Esq^r Chancelo^r; William Calvert Esq^r Sec^ry; Baker Brooke Esq^r Surveyo-Gn^ll; Benjamin Rozer Esq^r } P^rsent

Was then produced & read a Lett^r from Augustin Herman to the Chancelo^r setting forth the great Damage and injury the Inhabitants in Baltemore and Cæcill Counties doe daily receive ꝑ the Delaware Indians driveing away and killing their Stocks, the said Indians pretending that most of the Land in the upper ꝑ^s of the s^d Counties doth properly belong to them, The Summe whereof being Duely considered It was ord^red,

That Augustin Herman and Jacob Young be Empowred ꝑ Commiss^e from the Governo^r to treate with the said Indians touching the pretence they make to the land in the said two Counties as to what part of the Land in both or either of the said two Counties they make claime to And what Satisfaction they require to quitt such their claime thereto. An Acco^t whereof that they the said Augustin Herman and Jacob Young rend^r to the Governo^r and Councell with all Expedition possible and as conveniently they cann.

The Common Rumo^r that the Sinnequo Indians (by Instigation of the Remaineing ꝑ^t of the Susquesahannoghs now amongst them) are Designed to come downe and make warr upon the Pascattoway Indians toward the Latter End of this Summer w^ch the s^d Pascattoway Indians doe verily beleive and suspect, being taken into consideration it was Ord^red,

That Jacob Young be Empowered to goe to the Old Susquehannoh ffort and to treate with the great men of the Sinnequos Nations touching the said Rumo^r according to such ord^rs and Instructions as he should receive from the Governo^r relateing thereunto

In pursuance whereof the Hon^ble Thomas Notley Esq^r did Empower the said Jacob Young ꝑ his Instructions und^r hand and Seale to goe accordingly to the Old Susq^h ffort and address himself to the greate men of the Sinnequo Nations, and ꝑ p^rsents or otherwise according to their Custom to Remind them of the League w^ch they latly Entred into with us and our ffriend Indians in w^ch number the Pascattoways were then by name included and soe long as they continue our ffriends we are bound to protect and Defend them, and therefore we hope that the Sinnequos will not violate their League with us by useing any Acts of Warr or Hostility Against the said Pascattoways or any other our ffriend Indians without just cause given and haveing first made us

Lib. R. acquainted therewith according to the Articles Concluded betweene us. The said Young was also ꝑ his said Instructions ordᵉred to acquaint them that in Virginia there was a rumoᵘʳ that the Sinnequos did designe this next fall to scoure the heads of those Rivers wᶜʰ did much dissatisfie and disturb
p. 31 the Inhabitants there not knowing the reason thereof, they being together with us included in the made with the Sinnequo Indians, Wee did therefore (not out of any Suspicion or jealousie in the least that we harboured of them as to their ffidelity toward us not questioning but as hitherto they had done soe they would still continue to preserve their League with us) desire to know whether indeed they had any such designe and what the grounds of such their motion might be to the End that the Inhabitants in those pᵗˢ might also as well as us be Satisfied & not Surprised at their comeing if their occasions should draw them thither.

At a Councell held at the Old Court house at the Citie of Sᵗ Maries the 14ᵗʰ Day of June in the third yeare of the Dominion of the Rᵗᵗ Honᵇˡᵉ Charles &cᵃ over this Province Annoq Domini 1678:

Present

The Honᵇˡᵉ
- Thomas Notley Esqᵘʳ Governoᵘʳ
- Philip Calvert Esqᵘʳ Chancelorᵘʳ
- William Calvert Esqᵘʳ Secᵗʸ
- Baker Brooke Esqᵘʳ Surveyoᵘʳ Genˡˡ
- Benjamin Rozer Esqᵘʳ

William Stevens of Sommersett County Gentl: in behalf of the Inhabitants of the said County did Peticōn for longer time to be allowed them for sueing Out their Pattents according to his Lᵈˢᵖᵖˢ gracious Declaration sett forth in June Anno 1676: the time therein mentioned & limitted being Elapsed wᶜʰ by reason of the late troubles ꝑ the Indians in those pᵗˢ the People that had occasion to make use of his Lᵈpps. favoᵘʳ therein could not accomplish their Business in time, to their great damage, It was the Opinion of the Councell (for severall reasons alleadged ꝑ the said Stevens in his Peticōn, & for the better Satisfying the minds of the Inhabitants and more firm settling of their Estates) that Eight moneths time longer be allowed them to effect the same, and that noe advantage be taken of the Lapse of time before by his Lᵖᵖ granted them, Whereupon the Governoᵘʳ issued forth the following Ordᵉr to the Secᵗʸ viz.

[Lands in Somerset County.] Lib. R.

By the Governo^{r}

Whereas William Stevens of Somersett County hath humbly prayed that those ꝑsons of Somersett County that have Pattents to sue out according to his L^{dpps} Declaracon in June Anno 1676 : w^{ch} time therein limited is now expired and yett there being some ꝑsons in the said County that have occasion of his L^{dpps} grace and favour therein Expressed but were prevented attending the Sec^{rys} Office by reason of the late troubles with the Indians in those p^{ts} and (since that is happily blowne over) other urgent occasions in their cropps hindering also ffor the better Encourageing the settling of the Sea side & other p^{ts} of the said County I doe hereby ord^{r} that the Inhabitants of the said County shall have Eight moneths time commencing from the Date hereof to sue out their Pattents according to his L^{dpps} Declara. as if they had done it within the time limited, provided he or she that claimes the favo^{r} of this ord^{r} doe bring a Certificate to the Sec^{rys} Office at S^{t} Maries und^{r} the hand and Seale of W^{m} Stevens of the s^{d} County that they are ꝑsons that deserve his L^{dpps} favo^{r} Given und^{r} my hand & lesser Seale of the Province the 14th Day of June in the 3^{d} yeare of the Dominion of the R^{tt} Hon^{ble} Charles over Maryland &c^{a} Annoq Domini 1678:

To the Hon^{ble} Coll. W^{m} Calvert Esq^{r} Principle Secry of the Province of Maryld

And it was the Opinion of the Councell upon further consideration that the like favo^{r} should in generall tearmes be granted to all singular the Inhabitants of this Province as well as to those of Somersett County. Whereupon issued forth the following Proclam^{a} viz. p. 32

[Quieting Possessions.]

By the L^{tt} Generall

A Proclamacon

Whereas the R^{tt} Hon^{ble} the Lord Prop^{ry} of this Province by his Gracious Proclama. beareing Date the third day of June in the first yeare of his L^{dpps} Dominion &c. Annoq Domi 1676 by the advice of his L^{dpps} Councell did Publish Proclame and Declare that his said L^{dpp} would take noe advantage of any Lapse of time either in proving of Rights returning of Certificates or Demanding grants or Pattents for any Land due to any Adventurer or Planter within this Province, provided such right Title and claime to any such Lands be prooved and

Lib. R. Pattents sued out for the same within two yeares after the Date of the said Proclama And whereas severall ꝑsons Inhabitants of this Province have informed me that by reason of the late troubles with the Indians, and other urgent occasions in their cropps hindering they could not attend the Sec^{rys} Office for Sueing out their Pattents and makeing good other Defects in the Lapse of time as to the returne of Certificates and makeing good rights and humbly prayed Eight moneths time more for the Doing thereof being Willing to comply with the reasonable request of the said Inhabitants and for the settling their minds and Estates I doe hereby by and with the advice & consent of his L^{dpps} Councell Publish Proclame & Declare that noe advantage shall be taken of any Lapse of time either to the sueing out of Pattents for Land or other Defects whatsoever of any Inhabitant of this Province, but that all such Inhabitants shall have and are hereby allowed Eight moneths time commencing from the Date hereof for the effectuall Doeing the same. Given at the Citie of S^{t} Maries und^{r} the great Seale of the said Province of Maryland the 19th Day of June in the third yeare of his Lordshipps Dominion &c. Annoq Domini 1678:

The Publick Leavy Appointed to be laid the first Tuesday in October next Whereof Notice is given to the severall Countyes of the Province.

p. 33 At a Councell held at Manahowickes Neck Plant^{n} in Wiccocomico River the nineth Day of August in the third yeare of the Dominion of the R^{tt} Hon^{ble} Charles &c. over this Province Annoq Domini 1678:

P^{r}sent

The Hon^{ble}
- Thomas Notley Esq^{r} Governo^{r}
- Philip Calvert Esq^{r} Chancelo^{r}
- Baker Brooke Esq^{r} Survey: Gen^{ll}
- Benjamin Rozer Esq^{r}

Then conveened & mett together to consid^{r} consult and advise upon the late murd^{r} Committed upon Daniel Cunningham & his family in Pottuxen River ꝑ some Indians; severall Papers relateing thereunto from the Inhabitants in those p^{ts} being read, as also the Deposition of John Burroughs who came from the said Cunninghams house the eighth instant being taken before the Governo^{r} then produced and read, being as foll: viz:

The Deposition of John Burroughs taken before the Hon^ble^ Lib. R.
Thomas Notley Esq^r^ Governo^r^ the seaventh Day of August
Anno. 1678:

The said John Burroughs having taken his Oath upon the Holy Evangelist of Almighty God Declareth that yesterday about two or three of the Clock in the afternoone he was at the house of Thomas Edwards at the Northern Branch of Pottuxen River whither was then remooved Daniel Cunninghams wife being desperately wounded by the Indians on Saturday last the third instant at her husband the s^d^ Cunninghams house This Deponent asked her how many Indians there were at her husbands house when she recd: the wound to w^ch^ (being speechless) she made a signe by holding up her hand and her thumb close, thereby intimating four He this Deponent then asked her whither one Wassetass a Pascattoway Indian were there whereupon she lift up her hand and putt on her head upon the place where she was wounded. And further the said Deponent saith that he heard M^rs^ Edwards mother to the said Conninghams wife say at the same time say, that as she was discourseing of the murd^r^ she said that she did verily beleive that the rogue Wassetass had been there and done the mischiefe, at w^ch^ the said Conninghams wife did then also lift up her hand to her head as afore & further saith not

Mark of
John (:) Burroughs.

from whence and severall other circumstances concurring it was the Opinion of the Councell that the said murder was perpetrated by the Pascattoway Indians Whereupon Ord^r^ed

That Majo^r^ William Boareman Goe to the Pascattoway ffort and acquaint the Greate men that whereas the Emperour and one of their great men had lately (to say the last weeke) been to speake with the Governo^r^ to whom they had then delivered severall matters of moment to w^ch^ he did not then think fitt (without the advice of the Councell) to returne them soe full and positive an answer as they might happily Expect But p. 34
having since conveened the Councell and consulted thereupon he was now ready to give them an answer did therefore desire their great men to come to Manahowick neck on Munday the 19^th^ of this instant August where the Governo^r^ and Councell would then meet them and heare what further they had to say But in case the said Indians should seeme to scruple or be further inquisitive of the cause of our sending for them It was then ordered that Majo^r^ Boareman should acquaint them with the murd^r^ Committed, and give them to und^r^stand that whereas they have had some men lately killed and wee likewise some others, the Governo^r^ and Councell

Lib. R. thought it necessary for our common preservation to hold a Matchacomico of Ours and their great men together to consult & advise upon some Expedient to be taken for Our Defence against the Invasion & assaults of fforreigne Indians.

At a Councell held at Manahowickes Neck the 10th of August 78:

Prsent as Before

Ordered that a Lettr be sent the Lord Proprv p Covill adviseing his Ldpp of the late murdr and the result of the Councell thereon wch was Accordingly done as foll: viz.

Maryland Augt the 10th 1678:

May it Please Yor Ldpp

Having this Oportunity of Covills Departure from Maryland within a weeke We thought it our Duty p the same to acquaint yor Ldpp with a murdr lately (to say on the third instant in the morning) committed on Daniel Conningham & his ffamily neere the head of Pottuxen River p some Indians strongly presumed to be the Pascattoways, the said Conningham and another young man killed outright as they were in the ffield at work Conninghams wife Tomohoaked in the house where she was afterwards found lying prostrate in her blood & not quite dead but rendred altogether speechless and soe remained till her death wch happned yesterday morning, soe (that though she were a pson well knowing and acquainted with most of those Indians) she could not declare any thing, but by signes wch she made did plainly discover the murderers to be Pascattoways for being asked how many Indians had been there she held up her hand with her thumb downe thereby (to say by her four fingers held up) intimating four being then asked whither Wassetass (a Pascattoway Indian knowne to vse those parts and whom the People suspected guilty of the Murder) were there she immediately lift up her hand to her head where she was wounded, from whence and severall other circumstances concurring we gather and are fully pswaded that the Pascattoway Indians are the reall murderers. Whereupon yesterday we mett in
p. 35 Councell at Manahowickes Neck where we concluded to send for the greate men of Pascattoway to meete us at the same place on the 19th instant where we intend to lay open the Murdr before them & Demand Satisfaction for the same, wch if they consent to and comply with according to Our Demands, We may then have some grounds to beleive Yor Ldpps Province may continue in its prsent tranquill condition, but as the case now stands the Pascattoway Indians having clandestinely

& privately done us severall mischiefs & fathered the same upon the Sinnequos and other fforreigne Indians, and we doe verily beleive that they intend to cover this murd^{r} with the same pretence, We rather beleive that a Warr with the said Indians must consequently ensue w^{ch} we shall Endeavo^{r} to manage soe as may be for yo^{r} L^{dpps} Hono^{r} and (as much as in us lie) the Security and Defence of the Inhabitants from any further Attempts, And the Establishing a firm Peace betweene us and other Indians for the future To w^{ch} we shall not further add at p^{r}sent, but Our Prayers for yo^{r} L^{dpps} Health and Prosperity We Remaine Lib. R.

Yo^{r} L^{dpps} most humble Serv^{ts}
Tho: Notley
Phil. Calvert
Baker Brooke
Benj. Rozer

Whereas Majo^{r} Henry Jowles (by vertue of an ord^{r} from the Governo^{r} to raise a Sufficient number of men as should be necessary for the Defence and Security of the Inhabitants at the head of Pottuxen River) hath raised sixty men w^{ch} by the Governo^{r} and Councell (having fully considered and duely weighed the Danger of those p^{ts} as to Indians) is deemed too great a number for that purpose, for severall weighty reasons concludeing that the Pascattoway Indians will not Adventure to make any further Attempts upon them, soe that a lesser number of men then is raised may be Sufficient for their Defence at p^{r}sent. It is Ordered,

That One half of the said men be forthwith dismissed and sent home, and that the other half (to say Thirty men onely) continue in service, Twenty whereof to be distributed among the Plantations for the Defence of the houses, & the other Tenn to be constantly rangeing about the head of the River, according to the Discretion of Capt. Ninion Beale who is hereby appointed to Command the said number of men, and to take Speciall care of all such Armes and Ammunition as they shall receive from his L^{dpps} Magazine at Mattapony, and that noe more of Either be delivered out among the men then what shall be absolutely necessary for the Service they shall be Employed in, & that the rest be secured till further Ord^{r} It is likewise Ordered that neither the said Beale nor any the Souldiers und^{r} his Command or others the Inhabitants in those p^{ts} Offer any violence to the Indians if any they shall discover unless the said Indians first make an assault upon them but that they Onely stand upon their guard till further Orders And whereas Col: Baker Brooke is now returned home into his Owne Country, It is Ordered that Majo^{r} Jowles attend the said Coll. for such further Ord^{rs} as may be necessary relateing to the Militia of that County. p. 36

Lib. R. The Councell to meete again at Manahowickes Neck on Munday the 19th day of August 78.

London August 10th 1678.

Lib. R. R. Mr Notley

p. 151 The bearer hereof Mr Thomas Trueman has much besought me that I would release him from his bond of good behaviour given in Maryland, prtending that itt may be some prjudice as well as a great trouble & affliction to him to live in my Prov-

p. 152 ince under the danger of a bond of that nature, he is very sensible of his former miscarriages, which he desires may be wholy imputed to his ignorance & incapacity of dischargeing what was imposed upon him & not att all to any willfull designe he had of bringing a mischiefe upon the inhabitants & Province of Maryland; in which place he earnestly desires quietly to enjoy what he has there, & to end his dayes in that Countrey And because I have no desire that the said Trueman should imagine I have the least malice or prjudice to his person, & that he should see that what I formerly did order was only occasioned by the great exigency of affaires att that tyme I am inclined & willing to shew him favour herein by giveing you order hereby to discharge him from his Recognizance of the good behaviour And you are therefore hereby fully authorized and impowered to see that he be discharged from the same; hopeing that his future behaviour carryage & comportmt towards my Governmt & the people there may deserve this kindnesse & favoure shewn him by

Yor affec: friend to his power
C Baltemore

Supscription
To Thomas Notley Esqr
Governour of the Province
in Maryland.

Mr Secry Calvert

By vertue of an order from the Right Honble Charles Lord Propry of this Province dated in London the tenth day of August one Thousand six hundred Seventy Eight directed to me impowering me to discharge Major Thomas Trueman of & from his Recognizeance of the good behavior entered into the first day of December in the yeare one Thousand six hundred seventy six in the Provinciall Court wherein the said Thomas Trueman stands bound to his Lordp in the sume of one hundred thousand pounds of Tobacco & Thomas Gerrard &

p. 153 Justinian Gerard in the sume of fifty Thousand pounds of Tobacco apeice that the said Thomas Trueman be of good abearance as well towards his Lordp as all the good people of this Province dureing his naturall life or at least his stay in

this Province you are therefore hereby Impowered to enter the said order of his Lord[p] upon Record And I doe hereby declare on the behalfe of his Lord[p] the Right Honn[ble] the Lord Prop[ry] of this Province the aforesaid Recognizance to be void and null to all intents & purposes whatsoever And for your soe doeing this shall be your Sufficient Warrant given under my hand the sixteenth day of October in the Third yeare of his Lord[ps] Dominion &c Annoq Domi 1678 Lib. R. R.

Thomas Notley

At a Councell held at Manahowickes Neck Plant[a] in Wiccocomico River Munday the 19[th] of August 1678: Lib. R. p. 36

P[r]sent

The Hon[ble]
- Thomas Notley Esq[r] Governo[r]
- Philip Calvert Esq[r] Chancelo[r]
- William Calvert Esq[r] Sec[ry]
- Baker Brooke Esq[r] Surveyo[r] Gen[ll]
- Benjamin Rozer Esq[r]

Then mett According to appointm[t] p ord[r] of Councell held at the same place the 10[th] instant, the Greate men of Pascattoway being also appointed to meete here this Day whereupon the Councell consult and advise what necessary to be said to them when they come, and it is resolved that they be given to und[r]stand

That whereas a few daies since the Empero[r] and One other of their greate men had been with the Governo[r] and informed him of some of their Indians being lately killed (as they did beleive) p some of the Senniquo & Susquahannoh Indians, and did then offer to the Governo[r] severall matters of moment to w[ch] he did then give noe positive answer, but did assure them that he would send to ffort Albany endeavouring to speake with the greate men of the Sinnequos to know of them what their designe was whither they resolved to hold their Articles with us (amongst w[ch] One was that they should hold peace with the Piscattoways) & to continue their League, that soe we may hold peace with the Piscattoways soe long as they are willing and doe actually keepe the Peace made with us. The Councell doe readily concurr with the Governo[r] therein and doe confirm and approve what he hath done, that Intelligence is daily expected from Albany, w[ch] when we receive shall give them notice, but till then can give them noe further answer as to that pticular.

The next thing to be offered to them being a matter of great consequence was.

Lib. R. That we have had three People (to say) a man a woman & a youth lately killed at a Plantation about the head of Pottuxen River, the man and the Youth killed Outright, But the woman who lived severall daies after did before her death Declare that One Wassetass (a Pascattoway Indian) in Company with
p. 37 three more Indians had wounded her, that upon the rumor wᶜʰ they themselves had made of the Senniquos being in these ꝑtˢ and killing some of their men we had then at that very time & some time before ꝑtʸˢ of horse in Anne Arundel County & other ꝑtˢ rangeing & scoureing the heads of the Rivers who could not discover any fforreigne Indians or see the least signe of them, that the Pascattoway Indians themselves had certainly been hunting in those ꝑtˢ and were seene thereabouts the day before the same Day and the Day after the murdʳ was committed that if any fforreigne Indians had been there they must needs have discovered or mett with them, that from the house where the murdʳ was Committed was taken away the mans Clothes, his Hatt, a bundle of matchcoates and some Tobacco out of a hhd wᶜʰ stood in the house wᶜʰ was Tomohoaked and the Tobacco taken out that the very same day were seene three Indians at a neighbouring Plantᵃ One whereof had with him a bundle of matchcoates & some leaves of Tobacco in it, that the Day after the murdʳ was committed were discovered four Indians within two miles of the house where the murdʳ was done, three of them being Painted, that they mett with an English man and Enquired of him whither Wassetass were in those ꝑtˢ and that at severall other places about the same time the Pascattoway Indians have been seen in those ꝑtˢ all wᶜʰ we can certainly proove, from whence and other circumstances concurring we doe verily beleive and are fully ꝑswaded that some of the Pascattoway Indians have committed the murdʳ That we had therefore sent for them to putt them in mind of their league made with us Twelve yeares since in May last, One ꝑᵗ whereof signed by the Lord Propʳʸ and the Governoʳ that now is undʳ the greate Seale of this Province we did suppose they had in keepeing the other pᵗ undʳ their great mens hands we had ready upon occasion to produce, ꝑ wᶜʰ Articles they are bound (if att any time any of their Indians or others liveing with them should murdʳ any of our English & they knew thereof) to deliver up the murderers freely & of their owne accord without demand by us made although we shall not be able to proove it to be done by them but if we should first discover the murdʳ and those that did the same, then are they also bound to deliver them up to us without any trouble upon our Demand, we being likewise bound ꝑ the same Articles (if at any time it should be sufficiently prooved that any of

Our men should kill any of their Indians) to putt the murderers to death in like manner as we should doe ꝑ any of their Indians that should be delivered up to us. That we have been carefull to preserve our league with them firm and inviolate, w^ch^ they are sensible of, otherwise if we had been guilty of any breach we should doubtless have recd: their complaints and been ready to give them Satisfaction, But on the Contrary a murd^r^ has been committed on some of us and that ꝑ some of their Indians (as we have all the reason in the world to conclude) that we did now demand Satisfaction of them and did not doubt but that they would as readily deliver up the murderers to us without any further trouble according to their Articles, that we are not willing to quarrell with them to make warr upon them and Destroy them, but desire to continue and preserve Our League and ffriendshipp with them provided they render us that reasonable Satisfaction w^ch^ ꝑ their Articles they are bound to doe and we to require at their hands. Lib. R.

Afternoone of the same Day p. 38

The Greate men of Pascattoway (to say) onely Nicotaghsen the Emperour and Ouquintimo the Speaker being come together with Chotike and severall other Choptico Indians, It was Ordered to Enquire of them

1^st^ Why noe more of the greate men of Pascattoway then the Empero^r^ and Speaker onely were come when they verily well knew that they were sent for upon soe considerable an occasion as the business then in hand to be discoursed to them did amount to, to w^ch^ after some pause they answered that most of their great men were very busie in gathering together their dead bones &c^a^

2. Who should speake for them, Ouquintimo the Speaker of Pascattoway or Chotike he being also come with th^m^ to w^ch^ the Empero^r^ made Answer Both.

Both were accordingly admitted in their turnes not interrupting One Another

The Governo^r^ & Councell then proceed ꝑ Majo^r^ William Boareman the Interpreter to propound to them what was concluded on in the morning w^ch^ the Interpreter accordingly delivered to them by little and little the summe of all.

At heareing whereof they seemed to startle, the Governo^r^ & Councell thereupon resolved to quitt the Roome to them and allow them some time to consider and returne their Answer.

After some Pause having consulted a while Chotike is ord^r^ed to answer for them in manner foll: viz.

That they are very sadd and troubled at the Accident, the

Lib. R. English and they haveing alwayes been One (as they say) that they were Sensible and did then acknowledge the English had been their greatest ffriends by whose aid and assistance and und^r^ whose protection they had hitherto subsisted, that they very well knew they had many Enemies, and the English onely their ffriends whom they could depend on, and if Once they should breake with them, they must certainly be most miserable expecting nothing but Death that as touching the murd^r^ & the demand of the English thereupon they could at p^r^sent give noe positive answer as not being yett sensible who were the murderers, that they will make it their Business to find out the truth and make strict inquisition amongst all their young men endeavouring what in them lies to find out the murderers, that on Tuesday the 27^th^ instant they will rend^r^ an Acco^t^ of their proceedings & give their further answer to what has been offered to them this day, w^ch^ time being concluded on the Councell are ord^r^d to meete again at the same place Tuesday the 27^th^ August 1678:

p. 39 August the 20^th^ 1678:

P^r^sent as Before

Ordered that the men raised for the guard and Defence of Inhabitants at the head of Pottuxen River continue still in Service, and that the Anne Arrundel and Charles County Troopes be commanded forth to keepe rangeing & to scoure the heads of the Rivers & other convenient places on the ffrontires of their respective Counties according to such ord^rs^ and instructions as they shall receive from the Governo^r^

A Letter was accordingly sent from the Governo^r^ to L^tt^ Coll. Thomas Tailler of Anne Arrundell County with ord^rs^ to keepe his Troope rangeing upon the ffrontires and other convenient places of the County untill further Ord^rs^

And the following Precept sent to Cap: Randolph Brandt in Charles County viz.

By the Lievetenant Gen^ll^

Thomas Notley Esq^r^ L^tt^ Gen^ll^ Chiefe Captain & chiefe Governo^r^ of the Province of Maryland und^r^ the R^tt^ Hon^ble^ Charles Lord and Prop^ry^ of the same &c^a^ to Cap^t^ Randolph Brandt Capt^a^ of a Troope of Horse in Charles County Greeteing.

Whereas there is a Barbarous murd^r^ lately committed upon three English Inhabitants of this Province p some Indians not yett fully discovered which my self and his L^dpps^ Councell haveing taken into our serious consideration & consulted

thereon have thought fitt (for the security and Defence of the Lib. R.
Inhabitants from any further attempts and assaults of Indians, and for the better discovery of any fforreigne Indians which the Pascattaway Our Neighbour Indians doe alleadge have committed the said murd[r]) that yo[r] Troope be commanded fforth to range the upper p[ts] of yo[r] County and towards the Branches of Pottuxen River according to such Ord[rs] and instructions as you should from time to time receive from me I doe therefore hereby will and require as also strictly charge and command you Cap[t] Randolph Brandt forthwith to summon yo[r] Troope to meete at some convenient place in yo[r] County where you shall think fitt. Out of w[ch] you are to make choice of Twenty men to be well provided with Armes Ammunition and provision sufficient for a weekes March with whom you are to march directly to the Pascattoway ffort and acquaint the Indians there that you are not come with any Designe to hurt or annoy them, but are ord[r]ed forth with yo[r] men to keepe rangeing for the security of yo[r] County from the assault of any fforreigne Indians, and to make what Discovery you can of Our and their Enemies, w[ch] when you have endeavoured to pswade them, you are to goe forward towards the Susquahannoh ffort, and soe to range towards the Branches of Pottuxen and in such other p[ts] and places of yo[r] County as are more obnoxious to the attempts of Indians, and most proper for discovery, and at the End of yo[r] weeke you are to returne home with the said p[ty] of men and your Self or Lievetenant againe to march out with a fresh p[ty] of yo[r] Troope consisting of the like number of men and alike provided as before, soe to continue rangeing, One p[ty] weekely releiving another untill further Ord[rs] from me or from my Self and his L[dpps:] Councell, and you are from time to time (when and as p. 40
often as occasion shall require) to rend[r] me an Acco[t] of yo[r] proceedings, and what Discovery you shall make. Whereof faile not and for yo[r] soe Doing this shall be yo[r] sufficient Warrant. Given at my house at Manahowicks Neck in Wiccocomico River und[r] my hand and Seale this Twentieth Day of August in the third yeare of his L[dpps:] Dominion over this Province &c. Annoq Domini 1678:

A Lett[r] was also sent from the Governo[r] to Cap[t] Ninion Beale at the head of Pottuxen River requireing him to continue his rangeing and follow those ord[rs] formerly sent him for the guarding those p[ts] and care taken for the tending the Cropps of those that were employed in that Service, by the following ord[r]

Whereas (for the better satisfaction of those people that are raised for the guard & Defence of the frontires at the head of

Lib. R. Pottuxen River, and that they might not thereby be Damnified in their Cropps dureing their absence) the Governo[r] empowered Majo[r] Henry Jowles (p his warrants to be issued forth to the severall Constables of the respective Hundreds where those people doe reside,) to take care and see that those within their precincts that were left behind and remained at home should looke after and tend the Cropps of such as were taken out upon Service. It is ordered

That the same care be still taken and that Coll Baker Brooke for the better Execution thereof) issue forth his warrants accordingly of w[ch] all ꝑsons concerned are to take due cognizance, and punctually obey the same.

At a Councell held at Manahowickes Neck Plant[a] in Wiccocomico River the 27[th] Day of August Anno 1678:

Present

The Hon[ble]
- Thomas Notley Esq[r] Governo[r]
- Philip Calvert Esq[r] Chancelo[r]
- William Calvert Esq[r] Sec[ry]
- Baker Brooke Esq[r] Survey[r] Genll.

The Empero[r] with three other great men of Pascattoway then appeared According to Appointment last Councell Day Of whom Majo[r] William Boareman the Interpreter was Ordered to Demand their Answer to what had formerly been offered to them in relation to the late murder committed at the head of Pottuxen River w[ch] as we had already told them soe wee were still of the same opinion and had all the reason in the world to beleive was done by some of their Indians. To w[ch] after severall long perambulatory Discourses ꝑ way of Excuses they replied & positively affirmed that they were altogether ignorant of it, and that notwithstanding they had made all Diligent Inquisition amongst their Indians touching the same yett could not discover that any of them had committed the same. Whereupon the Indians are Ordered for some time to withdraw And the Councell take into consideration & consult what further necessary to be Done in the
p. 41 premisses and it is resolved that for the present the Indians be told that wee are Sorry they cannot find out the murderers, but hoped they would still endeavour to doe it, that soe soone as they shall soe doe (that is) certainly find out who did the murd[r] we expect they will discover them to us, and if they be Pascattoway Indians that they will Immediately deliver them up to us According to the Articles of Peace betweene us. With which they were dismissed. And the Councell are of

Opinion & Doe resolve that the Assembly which was pro- Lib. R.
rogued till the Sixth Day of May next ensueing be sooner called (the urgent occasions relateing to the State and Wellfare of this Province requiring it) It is therefore Ordered that writts issue forth to severall Counties of this Province for Electing of New Burgesses in the roome of those that since the last Assembly are decd: and that the Assembly be conveened at the Citie of S^{t} Maries on the 20th Day of October next ensueing and that proclamation issue forth Accordingly.

Which was done and is as followeth viz.

By the Lievetenant Gen^{ll}

A Proclamation

Whereas the last Generall Assembly held at the Citie of S^{t} Maries in the yeare of Our Lord 1676: was adjourned to the fourteenth Day of May last past and from thence p Proclamation beareing Date the fourteenth Day of ffebruary last past (for divers good causes and considerations then thereunto mooveing) progued to the Sixth Day of May next ensueing, and now for Divers other good causes and considerations relateing to the State and Wellfare of this Province of Maryland since Occurring and by my self and his Lordshipps Councell taken into consultation it is thought most requisite that the same be sooner called and conveened (the urgent occasions and affaires relateing to his Lordshipp and the State and Defence of this Province requiring it.) I have therefore p and with the advice & consent of his Lordshipps Councell Determined and ordeined, and I doe hereby fully resolve Determine and Ordeine that the said Generall Assembly be held at the Citie of S^{t} Maries on the Twentieth Day of October next ensueing thereof And I doe hereby will and Require as also strictly charge and command all and singular the sheriffes of this Province forthwith upon receipt hereof to make Publick Proclamation hereof in the most publick and convenient places within their respective Counties, and to give notice to all and singular the Delegates & Deputies by the ffreemen of their Countie already elected or for that purpose to be Elected that (all Excuses sett apart) they and every of the said Delegates come and psonally appeare at the said Citie of S^{t} Maries on the said Twentieth Day of October next ensueing to doe and consent to those thinges w^{ch} then and there by the favour of God shall happen to be Ordeined by the Lord Proprietary of this Province or his Lievetenant Gen^{ll} by and with the advice and consent of the greate Councell of this Province concerning the State and wellfare of this Province; as also to give notice to such of his

Lib. R. Lordshipps Councell as inhabitt within their respective Counties, that (all Excuses sett apart) they also be and appeare at the Day and place aforesaid to the End and purpose aforesaid, And further whereas in June last Proclamation issued forth to the severall Sheriffes of this Province to give notice to the Inhabitants of laying the Publick leavy the first
p. 42 Tuesday in October next together with writts for the calling of One Delegate in each County for that purpose to appeare at the Citie of S^{t} Maries at the said time. It is thought more proper that the same be Deferred to be laid by the Generall Assembly the said Twentieth Day of October next, I doe therefore by and with the advice and consent aforesaid hereby will and require each respective Sheriff within this Province to give notice to such Delegate in their County by writt soe called as aforesaid that they doe not come thither on the said first Tuesday in October as aforesaid according to the Teno^{r} of their former writt but that they faile not with the rest of the said Delegates in each County to be and appeare at the said Citie of S^{t} Maries the said Twentieth Day of October next. Given at the Citie of S^{t} Maries und^{r} the greate Seale of the said Province of Maryland the Twenty Eighth Day of August in the third yeare of the Dominion of the R^{tt} Hon^{ble} Charles &c^{a} over this Province Annoq Domini 1678:

At a Councell held at the same Place the 29th Day of August Anno 1678:

P^{r}sent as Before

Ordered that One half of those men raised for the guard of the head of Pottuxen River be forthwith Dismissed, and that the other half (to say 15 onely) continue still in Service to keepe rangeing or otherwise as Cap^{t} Beale from time to time shall see convenient for his L^{dpps} Service and the Defence and Security of the Inhabitants.

Some of the greate men of Choptico haveing two Daies since informed the Governo^{r} and Councell that the Indian Prisoner formerly delivered up by the Empero^{r} of Nanticoke for haveing been guilty of the murder lately committed on David Williams & his ffamily in Somersett County, is now amongst the Rappahanock Indians in Virginia

It is Ordered, That Cap^{ta} Gerrard Slye high Sheriff of S^{t} Maries County (out of whose Custody the said Indian Prisoner was through negligence of his Keeper Escaped) take with him two Choptico Indians (of w^{ch} their great men made a tender) and goe over into Virginia, and upon his arrivall there address himself to the Hon^{ble} Coll: Nicholas Spencer or

some other Magistrate or Magistrates in the said Collony and Lib. R.
acquaint him or them herewith, withall Desireing a Warrant and such other necessary assistance, as may be convenient for the Retreiving the said Indian Prisoner, Which if to be effected The said Slye takeing the said Prisoner into his custody is forthwith to cause him to be brought well guarded over to his house in Wiccocomico River there to be securely kept untill such time as he have acquainted the Governo^{r} therewith, and from him have recd: a Warrant for Execution of the said Prisoner, It being the result of the Councell that (soe soone as he shall be retreived) he be immediately putt to Death without any further respite.

A Letter recd. yesterday from Coll: Wells Dated the 23th p. 43
instant and another from L^{tt} Coll: Taylo^{r} Dated the 26th instant relateing to another Barbarous murder committed the 19th instant ꝑ some Indians on three English men on the East Side of Susquahannah River as they lay asleepe on the River Side, read and taken into consideration.

Ordered,

That for p^{r}sent Coll: Coursey Command^{r} in chiefe of all his Lordpps ffoote militia in Cæcill and Kent Counties be advised of the same, & ordered to take Speciall care for the Defence of the ffrontires und^{r} his Command that the said murd^{r} be represented to the next Generall Assembly for their further consideration, that in the meane time Jacob Young or some other ꝑson or ꝑsons be Employed to make inquisition into the same and if possible to discover the murderers and render an Acco^{t} thereof to the Governo^{r} with all expedition, And that a Letter be written to Coll: Coursey to that effect

W^{ch} was Done and is as followeth viz.

Coll: Henry Coursey.

Having lately mett two or three severall times at the Governo^{rs} house about a murder lately committed at the head of Pottuxen River w^{ch} from severall circumstances relateing thereunto seeme to beare an ill aspect, we have fully concluded to call an Assembly at the Citie of S^{t} Maries on the Twentieth Day of October next, and have accordingly issued forth Proclamation to the Several Counties with writts for the Electing of New Delegates in the roome of those that since the last Assembly are deceased, and Desire you will not faile to come into the upper house at the same time, Yesterday we recd: a Letter Dated the 23th instant from Coll: Wells and another from Coll Taylo^{r} of the 26th instant touching another murd^{r} committed the 19th instant in Cæcill County on the East Side of Susquehannah River. Wherefore wee think it

Lib. R. absolutely necessary and desire you to take all care imaginable to guard your ffrontires by such waies and meanes as you in yo[r] Discretion shall think most requisite for the Security of those parts from any further Assaults, And that in the meane time you employ Jacob Young and such others as you shall think fitt to make Inquisition into the said Murder, An Account whereof (soe soone as they cann make any Discovery) that they render to the Governo[r] with all speed. You are likewise requested to send forward the inclosed to Cap[t] Sibrey in Cæcill County, and the other to Coll. Lowe yo[r] Sheriff lett be delivered with all expedicōn the other Packett please to send by a Safe hand to Capt[a] Taylo[r] in Dorchester County it requireing also greate haste to come in time for the Electing of Burgesses for the Assembly, in all w[ch] we doubt not of your care in the least, and have not further to add but our Respects to you We rest

August 29[th] 1678
from Manahowicks Neck
In Wiccocomico River

Yo[r] Servants
Tho: Notley
Philip Calvert
William Calvert
Baker Brooke

p. 44 Whereas the Governo[r] and Councell have been informed that the ffreemen in Charles County are obstinately inclined to Elect Capt[n] Josias ffendall for their Delegate in the Assembly notwithstanding he is a ꝑson by his Lett[rs] of pardon exempt from beareing any Publick Office in this Province, and hath been formerly refused & not admitted to sitt in the Assembly being thereunto chosen. To Prevent the same for the ffuture, It is resolved that the following ord[r] be sent to the Sheriff of that County viz

By the Governo[r] & Councell.

Whereas there is a writt issued fforth to the Sheriff of Charles County for the Electing of a new Delegate in the roome of Capt[n] John Allen lately decd: for that County to be and appeare at the next Gen[ll] Assembly to be held at the Citie of S[t] Maries on the Twentieth Day of October next Ensueing, and whereas we are given to und[r]stand that the ffreemen of the said County are apt to vote for and make choice of Capt[a] Josias ffendall to be their Delegate, he being a ꝑson exempt (by his Letters of pardon formerly granted him) from beareing any Publick Office in this Province, and also from haveing any vote in Elections or being himself Elected It is Ord[r]ed

That the said Sheriff at the time of the said Election rightly informe the ffreemen thereof to the end that they may not

miss of their Election and soe Want One of their number of Lib. R.
Delegates in the said Assembly w^ch^ (if they make choice of the said ffendall) they will certainly Doe, he having formerly been chosen & not admitted to sitt in the Assembly

[Nuncupative Wills.]

By the Leiu^t^ Gen^r^all a Proclamation Lib. R. R. p. 158

Whereas the Assembly of this Province have not yet Sufficiently provided for many needfull matters relateing to the Succession of lands tenements heriditaments goods & Chattles of persons dyeing within this Province & have obliged the severall & respective Courts of this Province to proceed according to the Laws of England in cases wherein the lawes of the Province are Silent so farre forth as the lawes of the said Kingdom are practicable in this Province And whereas his Sacred Majesty by one act of Parliament made in the nine & twentieth yeare of his Reigne Entituled An act for prevention of frauds & purjurys amongst other things takeing notice of the fraudulent Practices in Setting up Nuncupative wills which have been the Occation of much perjury hath enacted that from & after the four and twentieth day of June which was in the yeare of our Lord God 1677 No Nuncupative will shall be good where the Estate thereby bequeathed shall Exceed the value of thirty pounds Sterling that is not proved by the Oathes of three Wittnesses (at the least) that were present at the makeing thereof nor unlesse itt be proved that the Testator did bid the persons present or some of them bear witness that such was his will or to that effect nor unlesse such noncupative will were made in the time of the last Sickness of the deceased & in the house of his or her habitation or Dwelling or where he or shee hath been resident for the Space of ten daies or more next before the makeing of such will Except where such person was Surprised or taken sick being from his owne home and dyed before he returned to the place of his or her dwelling And further that after six moneths past after the speakeing the pretended Testamentary words no testimony shall be received to prove any will Nun- p. 159
capative Except the said Testimony or the Substance thereof were Comitted to writeing within Six dayes after the makeing the said will nor shall letters testamentary or probate of any nuncupative will passe the Seale of any Court till fourteene dayes after the decease of the testator nor be receaved to be proved till the widowe or next of Kindred of the deceased be cited to contest the said will if they please nor shall any will in writeing concerning goods or Chattles or personall Estates be repealed altered or Changed by any

Lib. R. R. words or will by word of mouth onely Except the same be in the life of the Testator Comitted to writeing & after the writeing thereof read unto the testator & allowed by him and proved so to be done by Three Wittnesses at the least Except in cases of Soldiers and Seamen in actuall Service as by the said act in print more att large appeareth Whereof I doe hereby with the advice & Consent of the Councell Give this Publick notice Willing and requireing all persons to take notice & to Governe themselves and their affairs accordingly Given att S^{t} Maries under the great Seale of this Province this 4th day of September 1678 & in the Third yeare of his Lord^{ps} Dominion over this Province

p. 149 By the Lievtenant Gen^{ll}

Maryland ss. a Proclamac$\bar{o}$n

Whereas itt hath formerly bin the usuall Custome & practice of divers the Inhabitants of this Province to sell & dispose of their Provisions such as Beefe Pork Bacon & Corne to fforreigners to be by them exported out of this Province to
p. 150 the great damage & Inconveniency many tymes both of themselves & the rest of the Inhabitants, the same afterwardes proveing often tymes very scarce & deare by reason thereof, notwithstanding the exportac$\bar{o}$n thereof hath been strictly prohibitted & forbiden And whereas the p^{r}sent urgent affaires of this Province are such, that they may probably require a considerable quantity thereof to supply its necessary occasions I doe therefore by & with the consent & advice of his Lord^{pps} Councell strictly prohibitt & forbid all & singuler the Inhabitants of this Province to sell or dispose of any such Provisions as beefe Porke Bacon or Corne to any fforreigner or other whatsoever to be exported out of this Province to any other Port or place whatsoever as they will answer the contrary att their utmost perill And all M^{r}chants & Masters of Shipps or other Vessells & other persons whatsoever tradeing into or resideing within this Province are hereof to take notice & observe that they doe not Shipp or load on board any Shipp or Vessell, whatsoever any of the aforenamed Provisions of the growth or production of this Province to be exported out of this Province without leave & lycence from my selfe thereunto first had & obtained under the paine & penalty of loseing & forfeiting all such Provisions as shall be so shipped & loaden aboard together with the Shipp or Vessell in which the same shall be so shipped & loaden as aforesaid with all her Guns tackle furniture Ammunition & Apparrell, the one moiety thereof to the right Honb^{le} the Lord Prop^{ry} of this Province, the other moiety to such person or persons as shall informe & sue for the same And I doe hereby by & wth the

advice & consent aforesaid strictly charge & comand all & Lib. R. R.
singuler his Lord^{pps} Officers civill & military within this Province to take due Cognizance hereof & make strict Inquisition into & punctually observe the p^{r}misses in & about their severall p^{r}cincts & habitacōns makeing p^{r}sent seizure of any Shipp or Vessell that shall take in & load Aboard any of the p. 151
aforenamed Provisions with out leave & lycence first had & obtained as aforesaid All & singuler the Offenders herein to be by the next Magistrate bound to their good behaviour giveing good security for their appearance att the next Provinciall Court to answer such their contempt And to the end that no person whatsover herein concerned may plead or pretend ignorance all Officers & others duely qualified to enter & cleer Shipps & other Vessells in this Province as well on behalfe of his Ma^{tie} our Sovereigne Lord the King of great Britaine as on behalfe of his Lord^{pp} the Lord Prop^{ry} of this Province are hereby willed & required to Give notice hereof to all Merchants Or masters of Shipps or other Vessells upon the entring of such their Ships or Vessells. And whereas I am myselfe in person att p^{r}sent indisposed & cannot be att S^{t} Maryes to signe this Proclamacōn I doe therefore by & with the advice & consent aforesaid hereby authorize Ordaine & Empower the Hon^{ble} Philip Calvert Esq^{r} Chancelour of this Province to signe the same which is to be of as full force & validitie as if signed p my selfe. Given att the Citty of S^{t} Maryes under the great Seale of this Province the fifth day of Septemb^{r} in the third yeare of the Dominion of the right Hon^{ble} Charles &c. over this Province Annoq Domi 1678.

On Munday October the 7th 1678 the Governo^{r} p Lett^{r} Did Lib. R.
Desire the Advice of the Councell (then at S^{t} Maries) for the settling of the militia in the severall ffrontire Counties for the Defence and Safeguard of the Inhabitants from the assaults and attempts of the Indians Dureing the sitting of the Assembly w^{ch} was to beginn October the 20th 78;

To w^{ch} on Thursday the 10th instant he recd. the foll. Lett^{r} of Advice p the Post, viz.

Sir

We have recd: yo^{rs} Dated yesterday together with the Lett^{r} of Coll Thomas Tailler and the conference with the King of Mattawoman and Chotike, and Coll. Douglas his Lett^{r} & yo^{r} ord^{r} thereupon relateing to Hugh ffrench; We have taken the contents of the Lett^{r} into Consideration and as to our Security against any attempts may be made by the Indians Dureing the time of the Assemblys Sitting We are of Opinion that the Common Rangers now und^{r} pay in Charles County, Calvert County, Anne Arrundell County & Balte-

Lib. R. more County are Sufficient to lett the Indians see that we are awake and watchfull, But we are likewise of Opinion that the Rangers in Charles County ought to be ordered not to Range above the ffort at Pascattoway any more and to keepe rangeing between Pascattoway and the English Plantations That the Officer that next marches out with the Rangers there and all other the Officers with the Rangers in the severall Counties on the Western Shore, be ord^{r}ed to command the Inhabitants at the severall ffrontire Plantations, and others if need Require upon the appearance of any Enemy (that is any Indian) to make an Alarme by fireing three Gunns after the ancient manner, and that every house answer the s^{d} Alarme by fireing One Gunn, and that upon such notice all persons doe Repair to the place from whence the first three Gunns were fired to assist them if need be or to such other place as the Officer shall think fitt, And fforasmuch as we are confident the Indians Doe know our whole Magazine lyes at Mattapony, and that it is possible the Indians may endeavour to surprise that house first, whensoever they shall Designe any mischiefe, Wee are of Opinion that Tenn men ought to be putt into That house for the security of the Magazine. And for the Security of the other Counties, we think they have done all they cann, or we cann more then to send them Ammunition for their Rangers and Armes soe as Waterton desires in the Inclosed, w^{ch} we were bold to open Supposeing it might give us some more light in our Indian affaires.

We have this onely to add concerning Alarmes viz: since they have been long Disused it will be necessary for the Officers first to warne the people to be punctuall in answering them as aforesaid, and then to make a false Alarme or two to try how they will observe ord^{rs} and then sufficiently to assure them that they shall noe more be cheated with false Alarmes. As to Hugh ffrench we have him in hold and he shall be sure to have his Desert. We have considered also of the place for Sitting of the Assembly, and are of Opinion that the State house will be the fittest place, and to that End have given ord^{r} for repaireing the Glass Windowes, and for Divideing the Court Roome from the Staires, that we may goe into the upper house without troubling the Lower house, if the weather proove very cold we will provide a conveniency to warme your Roome with Cole and soe we rest

S^{r}

Yo^{r} Humble Servants
Phill Calvert
Will. Calvert
Baker Brooke
Henry Coursey
Benj^{a} Rozer

Whereupon the Governo^{r} issued forth the foll: Ord^{r} viz. Lib. R.

By the Lievetenant Gen^{ll} p. 46

Whereas I have (by and with the Advice & consent of his L^{spps} Councell for Divers weighty and urgent occasions relateing to the State and Wellfare of this Province) ordeined & appointed the Gen^{ll} Assembly of this Province to be held at the City of S^{t} Maries on the Twentieth Day of this Instant October, the sitting whereof may require some considerable time, Dureing w^{ch} time not onely the Delegates and their Attendants but other Persons haveing a Business at the said Assembly, will be absent from their severall and respective Counties, whereby the same may be much weakened; Which the Indians (ready to embrace and watching all Oportunities to Doe mischiefe) well und^{r}standing may probably take advantage off and endeavo^{r} to assault the Inhabitants of this Province in and about the ffrontire and Outermost Plantations.

Wherefore I Doe hereby will and Require as also strictly charge and Command you Coll: George Wells forthwith upon Receipt hereof to give notice to all and singular the Inhabitants of the ffrontire plantations within yo^{r} precincts, & others obnoxious and lyable to the assault of the Indians, that they stand upon their guard, useing all waies and meanes possible for their Defence and Security from any attempts of the Indians against them Dureing the Sitting of the s^{d} Assembly, And that upon the first Discovery of any Indian Enemy they make an Alarme by ffireing off three Gunns distinctly one after another according to former ord^{rs} and that every house within heareing thereof answer the same by ffireing off One Gunn, and that upon such notice given all ꝑsons Doe repaire with their Armes & Ammunition to the place from whence the first three Gunns were fired to assist them (if need be) or to such other Place or places as you or the other next Officer then in place shall think fitt for the bett^{r} Discovery of the Enemy, and further you are willed and Required to continue the Rangeing of such fforces und^{r} your Command as already are and hitherto have been employed in the said Service giveing them strict and positive ord^{rs} to range onely too and fro among the plantations, and not to make any greate excursions except upon the Discovery and in the pursuite of an Enemy or the like emergent occasion And if any thing of moment shall happen within or neere your p^{r}cincts Dureing the sitting of the said Assembly you are then from time to time and as Oft as occasion shall Require to Signify the same with all Expedition possible to myself and his L^{spps} Councell

Lib. R. at the Citie of S^{t} Maries, To the End that wee being rightly informed may take such speedy course and give you such
P. 47 further Ord^{rs} and Instructions as the necessity of the affair may Require. Whereof faile not and for yo^{r} soe Doeing this shall be yo^{r} sufficient Warrant. Given und^{r} my hand and Seale this Eleaventh Day of October in the third yeare of the Dominion of the R^{tt} Hon^{ble} Charles &c^{a} over this Province Annoq Domini 1678:

To Coll: George Wells Command^{r} in chiefe of all his L^{spps} Militia of ffoote in Baltemore County, or in his absence to Majo^{r} Thom: Long of the same County, in the absence of the said Long to Cap^{t} John Waterton, and in the absence of the said Waterton to the next Military Officer in the s^{d} County either of Horse or ffoote, to be putt in Execution This

The same ord^{rs} mutatis mutandis Directed to Cap^{t} Ninion Beale at the head of Pottuxen River, as also to L^{tt} Coll: Thomas Tailler of Anne Arrundell County (with an additionall clause at the latter End requireing him to appoint some ꝑson or ꝑsons in s^{d} County whom he should think fitt to take charge of the County in his absence at the Assembly & to put the said ord^{rs} in Execution;) And to Cap^{t} Randolph Brandt in Charles County limiting his troope to range noe higher then the Pascattoway ffort.

At a Councell held at John Bakers house at the Citie of S^{t} Maries the 15th Day of October in the third yeare of the Dominion of the R^{tt} Hon^{ble} Charles &c^{a} over this Province Annoq Domini 1678:

The Hon^{ble} { Thomas Notley Esq^{r} Governo^{r} / Philip Calvert Esq^{r} Chancelo^{r} / W^{m} Calvert Esq^{r} Sec^{ry} / L^{tt} Coll: Thomas Taylor / Coll: Henry Coursey / Majo^{r} Benjamin Rozer } P^{rs}ent

Then mett together upon a Petic$\bar{o}$n preferred to them by John Homewood of Anne Arrundell County against John Welsh Sher. of the s^{d} County & Sam^{ll} Debauck his Dep^{ty} for illegally Executing and Deteineing a man Servant from him the said Homewood und^{r} p^{r}tence of Rents and Leavyes & officers ffees desireing the Governo^{r} and Councell to take the same into their consideration and fully to Examine the

whole matter and to Doe therein what to right and justice belongeth. Lib. R.

The Peticōn is as foll: viz.

Octob: 15th 1678. To the Honble Thomas Notley Esqr Governor of Maryland & the Honble Councell of Maryland

The Humble Peticōn of John Homewood of Anne Arrundell County Sheweth

That One Samuel Debauck Deptv Sheriff to John Welsh high Sheriff of the said County upon the 15th Day of Aprill last past, came to yor Petrs house and Demanded of him the summe of One Thousand Six hundred and ninety pounds of tobacco for thirteene Leavyes, for Rent Three hundred p. 48
Twenty four pds and a half of tobo for Clerks ffees thirty two pds of tobo & also One Thousand pounds of tobo for a ffine for not serveing as a Justice of the Peace, & for wch sd One thousand pounds of tobo the said Debauck said he had an Execution, and sheweth it there, Whereupon yor Peticōner ordred the said Debauck to goe to yor Peticōners Plantation called White Hall & take from him his Overseer there the said severall summes amounting onely to the summe of three thousand and ffourty six pound of tobacco, & thereupon the said Debauck went and recd: Eight hogsheads of tobacco wch amounted to three thousand & ffifty eight pds of tobo for wch he gave yor Petr a Rect as by the same here annexed may appear By wch it may appeare that he had overpaid for the said Rent & Leavys & Clks: ffees and for the Execution aforesaid the summe of Twelve pounds of tobacco, and if there were any more Due to the said Sheriff for ffees for Executing the said Tobacco he might fully have Satisfied himself by other Tobacco wch was at that time in hhs: at the Plantation aforesd or the said Debauck could have pd himself being indebted to yor Peticōner One hundred & sixteene pounds of tobo yet notwithstanding the sd Debauck upon the Eighteenth Day of May last did by vertue of the sd Execution for the ffine aforesaid or for some other cause to yor Peticōner unknowne take from yor Peticōner a man Servant named Simon Copley being a Taylor & carried him away to the sd John Welsh who by vertue thereof hath ever since Deteined the sd Servant contrary to Justice

Yor Peticōner therefore humbly prayes yor Honors consideration of the prmisses & to Examine the matter aforesaid & Ordr your Petr the returne of his Servant, and such Satisfaction for this soe illegall takeing & Deteineing the Servant aforesaid as to yor Honors shall seeme just.

And yor Petr shall pray &ca

Were then prsent the said John Homewood & Samuel Debauck wth Attorneys on both sides to argue the matter con-

Lib. R. teined in the Peticōn At the request of the Peticōner & his Attorney Henry Howard was called & sworne to testifie the truth of his Knowledge in the p[r]misses who being Examined upon Oath Did Declare

That Sam[ll] Debauck und[r] Sheriff to John Welch High Sher. of Anne Arrundell County produced & shewed to John Homewood the Pet[r] an Execution for the summe of One Thousand p[ds] of tob[o] for a ffine for not serving as a Justice of Peace in the said County before such time as he the s[d] Debauck recd: the 8 hhs. Tob[o] mentioned in the Peticōn, and that he the Deponent Desired the said Homewood to give him some Creditt with the Sheriff in case he should overpay him w[ch] the said Homewood promised to Doe & further the Depon[t] saith not

The Atto[r]neys on both sides and the ꝑties themselves being fully heard what they had to alleadge, The Peticōner was willing to referr the same to the Discretion & judgem[t] of the Governo[r] and Councell, whereunto M[r] Christopher Rousby and
p. 49 M[r] Robert Ridgely Atto[r]neys for John Welsh Did voluntarily and freely consent & resolved to stand to and abide their judgem[t]

Whereupon it is considered and the Governo[r] and Councell are of Opinion that John Welsh by Samuel Debauck his und[r] Sher. did illegally execute and Deteine the Servant and Doe therefore ord[r] that the said Servant be forthwith returned to John Homewood his Ma[r] And that the said Welsh pay unto the said John Homewood four thousand pounds of tob[o] for Damages & the Servants time five moneths in his possession. And accordingly issued forth the foll: Ord[r] viz

By the Governo[r] & Councell

Octob: 15[th] 1678:

Whereas John Homewood of Anne Arrundel County Exhibited his Peticōn this 15[th] Day of Octob: against John Welsh High Sheriff of Anne Arrundell County for that he the s[d] Welsh did illegally Execute a man Servant by trade a Taylor from him the said Homewood & kept the s[d] Servant in his possession ever since the moneth of May last contrary to right and justice and to the great Damage of him the s[d] Homewood und[r] pretence of Executing the same for a fine of One Thousand pounds of tob[o] due to his L[spp] the Lord Prop[ry] notwithstanding the said Homewood had duely & truly paid the said ffine, and whereas M[r] Christopher Rousby & M[r] Robert Ridgely Atto[r]neys for the said Welsh did freely & voluntarily consent to submitt to the judgem[t] of the Governo[r] & Councell, who having fully heard and Examined the p[r]misses and severall allegations on both sides are of Opinion

that the said Welsh did illegally execute the s[d] Servant and Doe therefore ord[r] that the said Servant be returned to the s[d] Homewood, and that the s[d] Welsh pay to the said Homewood the just summe of four thousand pounds of tobacco for Damages and the said Servants time five moneths in the said Welsh's possession from the time he was first Executed. Lib. R.

Signed &c[a]

At a Councell held at John Bakers house at the Citie of S[t] Maries the 17[th] Day of October in the 3[d] yeare of the Domin. of the R[tt] Hon[ble] Charles &c. Annoq Domini 1678:

The Hon[ble] { Thomas Notley Esq[r] Governo[r], Philip Calvert Esq[r] Chancelo[r], William Calvert Esq[r] Sec[ry], L[tt] Coll. Thomas Taylor, Coll: Henry Coursey, Majo[r] Benjamin Rozer } P[r]sent

Having recd: Divers Complaints from all parts of the Province ag[t] the respective Sheriffes thereof for takeing Extortious ffees and other their illegall & tyrannicall proceedings upon the poor Inhabitants The Governo[r] and Councell take the same into their consideration & ord[r] that for redress of greviances of that nature a Proclamation be issued forth w[ch] was accordingly Done and is as foll: viz p. 50

By the L[tt] Gen[ll]

A Proclamation

Forasmuch as I have been credibly informed by the great complaints generally recd: from all p[ts] of the Province of the grand absurdities & abuses committed by the severall Sheriffes of this Province upon severall of the Inhabitants of the same that the Sheriffes Doe assume to themselves an Exorbitant illegall power of Leavying Executions when & where they please und[r] pretence of Doeing the same for his Lopps Dues & other Officers ffees notwithstanding the same have indeed been first duely paid and Satisfied, threatning & terrifying the Inhabitants out of the same by colour of their Office. And whereas I have been also informed that such psons as have been soe wronged & abused as aforesaid have been by the insolent and haughty behavio[r] of the Sheriffes terrified from makeing their just Complaints knowne, and consequently of receiving any redress and releife in their greviances. Which my Self and his Lopps. Councill having taken into consideration and willing to cleare our Selves of any aspersions that

Lib. R. may be cast upon us, and to make knowne that we doe not tolerate uphold or justifie the said Sheriffes in such their insolencies and absurdities I Doe hereby by and with the advice and consent of his L^{opps}: Councell ꝑnounce and Declare that such illegall ꝑceedings have noe waies been willfully Suffered or connived at by my self and his Lopps Councell or any of us but have been acted contrary to mine or their knowledge not haveing been truly informed of the same otherwise should have taken timely care to prevent the progress thereof Desireing and Endeavouring nothing more then to maintain and uphold the peace and quiett of the Province and to keepe and preserve the Inhabitants from all and all manner of Oppression w^{t}soever. Wherefore if any ꝑsons have been aggreived in the p^{r}misses I Doe by and wth the advice and consent aforesaid publish and Declare that both my Self and his Lpps: Councell will be ready and willing at all times to heare & receive any Complaints that shall be putt in to us, and Doe Desire all ꝑsons concerned that have at any time been wronged or abused ꝑ the Sheriff or other publick Officer that they would exhibitt their information to the Justices of the Provinciall Court or to his Lo^{pps} Atto^{r}ney Gen^{ll} to the End such course may be taken for their redress and for prevention of the like for the future as may be needfull and as to right & justice belongeth. And further Whereas it has been the vsuall Custom and practice of the sev^{rll} Sheriffes of this Province to exact & extort the same ffees for Execution of a writt of cap: ad Satisfac: as for an Extent or ffieri fac: contrary to all right and good reason, I Doe by and with the advice & consent aforesaid pronounce Declare & make knowne that such ffees are not allowable and therefore not to be Demanded or taken by any Sheriff within this Province But Doe hereby will and require as also strictly charge and command all and singular the Sheriffes of this Province to take Due cognizance
p. 51 hereof, and that they Doe not p^{r}sume to Demand ask or receive any other or greater ffee for a writt of cap. ad Satisfac: more then his just and Legall ffee for serving the same and for release,together with 20^{l} tob^{o} ꝑ Diem imprisonm^{t} soe long as the ꝑ^{ty} shall actually remaine in Custody and noe more as they will answer the contrary at their utmost perill. And further whereas severall Sheriffes have exacted and extorted from severall Inhabitants of this Province an Exorbitant ffee of One hundred and Tenn pounds of tob^{o} for serving a Citation from the Chancelo^{r} p^{r}tending that the same not belonging to the Sheriffes Office, the Sheriff serving the same ought to have an extraordinary ffee w^{ch} is altogether unreasonable & highly burthensome to the Inhabitants. Now to prevent the like for the future I Doe hereby by & with the advice and

consent aforesaid publish & make knowne that noe more then twenty pounds of tobacco shall be hereafter allowed for serving any citation from the Chancelo[r] any Rule or ord[r] of Court to the contrary notwithstanding and Doe hereby strictly charge & command all and singular the Sheriffes of this Province to serve all such Citations as they shall from time to time receive from the Chancelo[rs] Office, exacting or Demanding noe greater ffee or gratuity for the same then the summe of twenty p[ds] of tob[o] as aforesaid as they will answer the contrary at their perill And I Doe hereby will and require all and singular his L[opps] Justices of the Peace within this Province that they care & cause the premisses to be made knowne and proclaimed by the Sheriff of their County or his Deputy in the most publick places of their County, causeing a Coppy hereof fairely to be transcribed and affixed to the Door of the County Court House where they serve. Given at the Citie of S[t] Maries und[r] my hand and Lesser Seale of this Province this 17[th] Day of October in the third yeare of the Dominion of the R[tt] Hon[ble] Charles &c[a] over this Province Annoq Domini 1678: Lib. R.

At a Councell held at John Bakers at the Citie of S[t] Maries the 21[th] Day of October in the third yeare of the Dominion of the R[tt] Hon[ble] Charles &c[a] Annoq Domini 1678.

The Hon[ble] { Thomas Notley Esq[r] Governo[r]; Philip Calvert Esq[r] Chancelo[r]; William Calvert Esq[r] Sec[ry]; Baker Brooke Esq[r] Survey[r] Gen[ll]; L[tt] Coll. Thomas Tailler; Coll: Henry Coursey; Majo[r] Benjamin Rozer } P[r]sent

The Chancelo[r] mooves the Governo[r] and Councell to settle some certain ffees belonging to his Office both as Chancelo[r] and Judge in Causes Testimentary w[ch] were omitted in the list of ffees formerly settled, viz.

To the R[tt] Hon[ble] the Lord Prop[ry] & to his L[opps]: Governo[r] & Councell. p. 52

His L[opps] Chancelo[r] humbly mooveth that they would please to settle these foll: ffees omitted in the last List of ffees, viz. ffor the Seale of a writt of Sciri fac: to shew cause why Pattents shall not be cancelled

	£	s	d	l tobo
	01	00	00	240
ffor the Same Seale to a writt upon a writt of Erro[r]	01	00	00	240
ffor the Same Seale to a Writt of Enquiry of Damages				80

Lib. R. And his L^opps Judge in Testimentary Causes likewise prayes that they will likewise Settle these following ffees upon process in his Court, omitted in the last Settlement of ffees.

	£ s d	1 tobo
ffor Drawing examinacōns of Wittnesses p Side		16
ffor Drawing Definitive Sentences p side		16
ffor Seale of s^d Sentences	02 : 00 : 00	480
ffor Subp^a for Costs	00 : 02 : 06	30
ffor Execution of Definitive Sentence p side,		16
ffor Seale to said Execution	01 : 00 : 00	240
ffor fileing Interrogatories		40

W^ch ffees being read and considered it was Ordered viz.

Octob: 21^th 1678:

The foregoing ffees being omitted in the last Act of Assembly made for the settlement of ffees, the Governo^r & councell doe approove as reasonable & ord^r the same to be allowed Signed T. N. &c^a

At a Councell held at John Bakers at the Citie of S^t Maries the 23^th Day of October in the third yeare of the Dominion of the R^tt Hon^ble Charles &c^a Annoq Domini 1678:

The Hon^ble { Thomas Notley Esq^r Governo^r; Philip Calvert Esq^r Chancelo^r; William Calvert Esq^r Sec^ry; Baker Brooke Esq^r Survey: Gen^ll; L^tt Coll: Thomas Tailler; Coll: Henry Coursey; Majo^r Benjamin Rozer } P^resent

Came Garrett Vansweeringen & p^rferred his Petition against Thomas Tailler High Sheriff of Dorchester County for not having satisfied the Tobacco Due from the Publick in that County to the said Vansweeringen Anno 1677 &c^a viz.

p. 53 To the Hon^ble Thomas Notley Esq^r Governo^r of Maryland and the rest of the Hon^ble Councell.

The humble Peticōn of Garrett Vansweeringen Sheweth,

That yo^r Pet^r at the laying of the Leavy Anno 1677: was allowed by your Hono^rs and the members of the Lower house of Assembly the summe of Thirteene Thousand Twenty & two pounds of tobacco to be p^d by Thomas Tailler High Sheriff of Dorchester County out of the Publick Leavy in the said County w^ch said summe the said Thomas Tailler hath recd: and yo^r Pet^r Did expect to have recd: the same for the paying of yo^r Peticōners Debts as especially for being security

for John Lynch Mr̃chant to Mr Christopher Rousby in the summe of 8500l tobo by bond for the Double quantity, and soe indebted yor Petr charged a note upon the sd Thomas Tailler to pay the same 8500l tobo out of the said summe of 13022l: tobo wch the said Thomas Tailler promised to Doe and to pay the remaindr to yor Peticōners Ordr Lib. R.

Yett yor Petr sheweth to yor Honrs that the said Thomas Tailler hath not onely violated the Publick ffaith & neglected to pay the sd summe of tobacco but hath suffered yor Petr to be sued for the non-payment of the same to the great Damage and Loss of yor Petr in his creditt and reputation being in severall respects exceedingly thereby Damnified. And yor Petr being soe sued and Damnified did at the last Court file a Bill against the said Thomas Tailler to wch he refused to appeare not being arrested, and now the Court being adjourned for soe long a time yor Petr is like to loose his Debt this yeare alsoe which will be almost the undoing of yor Peticōner if not prvented by yor Honors

Yor Petr therefore humbly prays yor Honors consideration in the premisses and to ordr him satisfaction out of the Bonds given by the said Thomas Tailler to the Lord Propry for reparation of his Damage, or to afford him such other releife herein as to yor Honors shall seeme just.

And yor Petr shall pray &ca

Whereupon Ordred viz.

By the Governor & Councell
Octob: the 23th 1678:

The Peticonr giveing good Security in to the Secrys Office in the summe of 4000l tobo to make good his allegation sett forth in his peticon: the Secry is then Desired to Deliver to the Attorny Genll the within mentioned Taylors Bond of Sheriffaldry to prosecute the same in behalf of the right Honble the Lord Propry to the End that the Petr may receive Satisfaction out of the same for the Damages he hath & may susteine for the reasons within mentioned

Signed p ordr and appointmt T N &c

At a Councell held at John Bakers house at the Citie of St Maries the 24th Day of October in the 3d yeare of the Dominion of the Rtt Honble Charles &ca Annoq Domini 1678:

The Honble { Thomas Notley Esqr Governor; Philip Calvert Esqr Chancelor; William Calvert Esqr Secry: Baker Brooke Esqr Surveyr Genll; Ltt Coll: Thomas Tailler; Coll Henry Coursey; Major Benjamin Rozer } Prsent

Lib. R. Where came before them Robert Leshley and Elizabeth his wife according to appointm^t by reason of a Peticōn exhibited p the s^d Robert to the Governo^r and the Governo^rs warrant thereupon Dated the 5^th instant, w^ch said Peticōn & warrant foll: in ord^r viz.

To the Hon^ble Thomas Notley Esq^r L^tt Gen^ll & Chiefe Governo^r of Maryland

The humble Peticōn of Robert Leshley Humbly Sheweth

That yo^r Peticōners wife being a woman of an Implacable turbulent Spiritt has at severall times unjustly & wrongfully made Divers complaints and Accusations against yo^r Pet^r before severall of his Lo^pps Justices of the peace of Calvert County but finding they tooke not the effect she hoped for, and that her Designe of procureing a considerable part of yo^r Pet^rs Estate to be allowed her for a maintenance with which she might live at her pleasure where she listed and quite Desert the ffamily and concerns of yo^r Pet^r was wholly frustrated, she hath since very falsly injuriously & malitiously accused yo^r Pet^r of Buggery to the greate scandall & irreparable prejudice of yo^r Pet^rs creditt and reputation w^ch he Does & alwaies shall Esteeme of greater price & value then his Life.

Wherefore yo^r Peticōner humbly prayeth, that yo^r Hono^r will be gratiously pleased to grant him a Warrant, that she may be brought before yo^r Hono^r and her complaints & accusations against yo^r Pet^r heard and Examined before yo^r Hono^r whereby your yo^r Pet^r may purge and cleanse himself of that grevious scandall cast upon him and that for the future he may live more peaceably & comfortably either with his said Wife or by allowing her such a maintenance as yo^r Hono^r shall ord^r and Command

And as in Duty bound he shall ever pray &c^a

The Governo^rs warrant thereupon was Endorsed on the back side of the Peticōn and is as foll. viz.

The matter alleadged by the Pet^r being of more then Ordinary concern, I recommend the same to the Examination of my self and his Lo^pps: Councell, and Doe hereby will & require you James Rumsey that you apprehend Elizabeth Leshley the Pet^rs wife and have her Body before my self and
p. 55 his L^opps Councell at the Citie of S^t Maries on the ffour & Twentieth Day of this instant October next ensueing when & where you are also to bring with you the within Peticōn. Whereof faile not. And for soe Doeing this shall be your sufficient warrant. Given und^r my hand and Seale this ffifth

Day of October in the third yeare of the Dominion of the Lib. R.
R^tt Hon^ble Charles &c^a over this Province Annoq Domini 1678:

To M^r James Rumsey Constable, in Calvert County
These.

Signed (locus)
Thomas Notley (Sigilli)

Upon heareing and Examination of the whole matter the Substance gathered from thence was that the Peticōner & his wife having had severall Differences betweene them w^ch could not be composed Did severall Declare that they were fully resolved never any more to live together, She Desireing an allowance proportionable to what she had at her Intermarriage with him. He Declared himself willing to allow her such a reasonable maintenance as the Governo^r and Councell should think fitt to award her with Due consideration had to his Capacity The w^ch at last they both referred to the Discretion of the Governo^r and Councell to ord^r therein what to them should seeme meete w^ch they would submitt to.

The Governo^r and Councell haveing Duely and maturely considered the p^rmisses Did ord^r viz.

By the Governo^r and Councell
Octob: 24^th 1678:

Whereas appeared before the Governo^r and Councell this Day Robert Leshley of Calvert County & Elizabeth his wife, and Did both jointly and severally openly Declare that for severall Differences betweene them both publick and private they were fully resolved never to cohabitt together again, and fforasmuch as the said Elizabeth did Demand a reasonable maintenance to be allowed her by her s^d Husband, w^ch he readily consented to they both submitting themselves to the Discretion of the Governo^r and Councell to apportion the same as to them should seeme meete. It is Ordered

That the said Robert Leshley pay or cause to be paid yearely and every yeare unto the said Elizabeth his wife for and Dureing her naturall life the just summe of two thousand pounds of tobacco for a maintenance and no more.

At a Councell held at John Bakers house at the Citie of S^t Maries the 26^th Day of Octob: in the third yeare of the Dominion of the R^tt Hon^ble Charles &c^a Annoq Domini 1678:

The Hon^ble { Thomas Notley Esq^r Governo^r; Philip Calvert Esq^r Chancelor; W^m Calvert Esq^r Secry: } P^rsent

ffrancis Lucus of S^t Maries County Widdow preferrs her

Lib. R. Peticōn craveing some allowance to be made her out of the publick Leavy for maintenance of her Child being a cripple w^{ch} peticōn is as foll: viz.

p. 56 To the Hon^{ble} Thomas Notley Esq^{r} Chiefe Governo^{r} and the Hon^{ble} Councell

The humble Peticōn of ffrances Lucus of S^{t} Maries County Widdow

Sheweth

That yo^{r} Pet^{rs} husband Dyed about 3 yeares since, and that since his Decease yo^{r} Pet^{r} hath been compelled to Satisfie his Debts w^{ch} amounted to more then the Effects of his Estate, That yo^{r} Pet^{r} hath two Children One whereof a girle about Eleaven yeares of Age is a cripple and goes on her hands and knees, and yo^{r} Pet^{r} being a very poore woman and nothing to maintain her Self and Children withall doth humbly request some allowance out of the Publick for the maintenance of the said helpless and crippled Child

And as in Duty bound she shall pray &c^{a}

Whereupon Ordered viz.

By the Governo^{r} & Councell
Octob: 26th 1678:

The Peticōn is referred to the Consideration of the Justices of S^{t} Maries County Court who are Desired duely to consider the necessity and indigency of the Pet^{r} soe as to award her a charitable and competent maintenance out of the County Leavy.

PROCEEDINGS

OF THE

COUNCIL OF MARYLAND.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

THOMAS NOTLEY,
Governor.

HIS LORDSHIP IN PERSON.

1678–1679.

At a Councell held at Manahowickes Neck Wednesday the Eighth Day of January in the ffourth yeare of the Dominion of the R^tt^ Hon^ble^ Charles &c^a^ over this Province Annoq Domini 1678. Lib. R.

The R^tt^ Hon^ble^ the Lord Prop^ry^
The Hon^ble^ { Thomas Notley Esq^r^ Governo^r^ / William Calvert Esq^r^ Secry. / Baker Brooke Esq^r^ Surveyo^r^ Gen^ll^ } P^r^sent

Ordered that Proclamation issue forth for the calling in of all such Gunns & other Armes, provisions &c^a^ as have been press'd for the Countreys Service and yett remaine in the hands of private persons, to the End the same may be secured in the hands of the Comiss^rs^ of each respective County for the proper vse and service of the Countrey, According to the request of the last Assembly. Which Proclamation accordingly issued forth & is as foll. viz.

By the Lord Prop^ry^
C: Baltemore. A Proclamation

Maryland ss. Whereas at a Generall Assembly begunn & held at Our City of S^t^ Maries on the Twentieth Day of October last past & there continued untill the 15^th^ Day of November following amongst other things it was taken into consideration by both houses of Assembly the great greviance Our p. 57
Province hath & doth daily susteine by severall private persons keepeing in their hands and converting to their owne pticular private vse severall Gunns & other Armes, provisions, horses, bridles Saddles and other things that hath fro: time to time been pressd for the Service of the Countrey, and Satisfied and paid for out of the publick Leavy to the great loss and Damage of Our said Province in generall. And fforasmuch as both our s^d^ Houses of Assembly did humbly Desire us or Our L^tt^ Gen^ll^ and Councell to issue forth proclamation for the calling in and secureing of all such Gunns and other Armes, provisions horses bridles, Saddles & other things as aforesaid that have been soe prest as aforesaid for the proper vse & Service of the Province. It is therefore Our Will and pleasure and we doe hereby strictly charge and

Lib. R. command all and singular Our Inhabitants of our said Province haveing in their possiõn any Gunns, Armes, provisions, horses, bridles saddles or other things whatsoever that have at any time heretofore been press'd for the Countreys Service, that they make knowne the same to the Comiss^rs^ of the County Court where they live at the next Court to be holden after Publication hereof To the End that such of them as have already been satisfied & paid for out of the Publick Leavy may be by the said Comiss^rs^ secured and reserved onely for the Countreys Service, and that such as have not been duely paid for and Satisfied may be returned to their right Owners. An Acco^t^ whereof the Comiss^rs^ of our respective County Courts are (in convenient time & from time to time when and as often as they shall make any Discovery of any such Gunns Armes &c^a^ as aforesaid) to rend^r^ unto us or Our L^tt^ Generall or Chief Governo^r^ for the time being. Whereof all persons concerned are to take due notice as they will answer the Contrary at their perill. Witness our self at Our City of S^t^ Maries Given und^r^ our greate Seale of our s^d^ Province the Eighth Day of January in the fourth yeare of Our Dominion &c^a^ Annoq Domini 1678:

Was then taken into consideration the p^r^sent Estate of affaires with the Indians as also all matters passed betweene the Governo^r^ & Councell and the Pascattoway Indians since the 9^th^ Day of August last touching the murd^r^ committed on Daniel Conningham and his family at the head of Pottuxen River the third of Aug^t^ last. The severall Orders of Councell & other papers relateing thereunto were also read. Whereupon it was proposed by the R^tt^ Hon^ble^ Lord Prop^ry^ to his Councell what Expedient were best to be taken for obteining the Delivery up of the murderers.

W^ch^ being considered by the Councell they are of Opinion & Doe advise that the Lord Prop^ry^ send for the Empero^r^ and
p. 58 great men of Pascattoway to Manahowickes Neck at such time as his Lordshipp shall think fitt to appoint whereof notice is to be given by his Lordshipp or his Governo^r^ to the Councell who are also then at the place aforesaid to give their attendance. That then his Lordshipp will please to lett the Empero^r^ and greate men know that he hath sent for them on purpose to see them & speake with them according to his Message sent them p Cap^t^ Brandt, & to put them in mind that when his Lordshipp departed this Province they gave him great assurance of their ffriendshipp to himself and the people of his Province that they had also the same assurances from him in behalf of himself and the English und^r^ his Governm^t^ that now he was heartily glad to see them & did

hope that the same reciprocall ffriendshipp did still remaine Lib. R.
as at his Departure & undrstanding by his Governors and Councell that they were Desirous to speake with him in relation to a late Rencounter betweene them and the Susquehannahs, & that they had something to propound to his Ldspp for their owne Security against fforreigne Indians, that he was now ready to receive their ppositions would consider of them & give them a good answer.

That after the said Conference with the said Indians his Lspp will then be in a better condition to take his just measures in relation to the said Murders wch at the next meeteing of the Councell his Lspp may conclude on

Articles of Peace and Amity Concluded & agreed upon betweene the Rtt Honble Charles Lord Baltemore Lord & Propry of this Province &ca and the Emperor of Assateague, the Kings of Pokomoke Yingoteague Nuswattax, Annamesse & Acquintica, Morumsco & for all the Indians und[r] their Subjection this 13th Day of Decemb: 1678:

Imprs It is agreed that from this Day forward there be an Inviolable peace & Amity betweene the Rtt Honble the Lord Propry of this Province & the Emperor of Assateague the Kings of Pokomoke, Yingoteague, Muswattax, Anamessex, Acquintica, Morumsco, and for all the Indians und[r] their Subjection, upon the Articles hereafter in this treaty to be agreed upon to the worlds End to Endure, and that all former Acts of hostility and Damages for either pty susteined to be buried in perpetuall Oblivion.

2dly That the said Emperor of Assateague, and the Kings before mentioned shall deliver up all Indians that shall come into his or their Dominions that are or shall be Enemys to the English, and further that if any Indian Subject to the said Emperor and Kings before Specified shall hereafter kill any English man, that the said Emperor and Kings aforesaid shall be obleiged to deliver such Indian up to the Governor of this Province as a Prisoner.

3dly fforasmuch as the English cannot easily distinguish one Indian from another, that noe Indian shall come into any English Plantation painted, and that all Indians shall be bound to call aloud, before they come within 300 paces of any Engglish mans cleare ground & lay downe their Armes, whither Gunns, Bows or Arrows or other weapon for any English man that shall appeare upon his call to take up, and in case no one appeare, that he there shall leave his said Armes, if he come neerer, and that afterwards by calling aloud he Endeavor to p. 59
give notice to the English of his nearer approach, and if any

Lib. R. Englishman shall kill any Indian that shall come unpainted & give such notice & deliver up his Armes as afors^{d} he shall dye for it, as well as an Indian that kills an Englishman, and in case the Indians and English meete in the woods accidentally, Every Indian shall be bound immediately to throw downe his Armes upon Call and in case any Indian soe meeteing any English man shall refuse to throw downe his Armes upon call he shall be Deemed as an Enemy.

4^{thly} The Priviledge of hunting, Crabbing, fowleing, and ffishing shallbe p^{r}served to the Indians Inviolable.

5^{thly} If any Indian Stealeth an Hogg or Calf or other Beast or any other goods He shall und^{r} goe the same punishm^{t} that an English man doth for the same Offence.

6^{thly} In case any Servants or Slaves runn away from their Masters or Children from their Parents, and come to any of the Indian Townes within the Territories of the Empero^{r} of Assateague or the Kings before mentioned, they shall be bound to apprehend the s^{d} ffugitives, and bring them to the next English Plantation, to be conveyed to their masters, and in case any Indian aforesaid shall convey or assist any such fugitives in their flight out of this Province he shall make the respective Ma^{r} or M^{rs} of such Serv^{t} or Slave such Satisfaction as any Englishman ought to doe in like Case.

7^{thly} The s^{d} Empero^{r} & Kings aforesaid shall not make any new peace nor shall not make any warr wthout the consent of the R^{tt} Hon^{ble} the Lord Prop^{ry} for the time being.

8^{thly} In case the s^{d} Empero^{r} or Kings afores^{d} or any Indian Subject to them belonging shall kill Ababco or any of his Indians, or any other in peace & Amity wth the s^{d} Lord Prop^{ry} shall be esteemed as great an Offence as killing an English man

9^{thly} That in case any Indian or Indians of any other nation or nations shall come wthin their Dominions or Territorys and shall by them or any other Indians und^{r} them be entertained & th^{t} any of th^{m} the s^{d} Indians shall kill any English, or kill or destroy any Hoggs, Cattle or Horses, or shall breake up any English mans house & steale his or their goods, th^{t} he the said Empero^{r} & the Kings afores^{d} shall be responsible for the same, and in case hereafter they shall have knowledge of any other murd^{r}ers th^{t} killed David Williams & his ffamily th^{t} they shall be hereby engaged to del. them up to the next Magistrate to be him conveyed to the Govrn^{r} as soone as found.

10^{thly} That the Empero^{r} of Assateague & the Kings of Pokomoke, Yingoteague Muswattax, Amamessex, Acquaintica & Morumsco shall & will pay & del: at the plant^{a} (upon w^{ch} W^{m} Stevens in Pokomoke now lives) called Rehoboth, to such p^{s}on as shall be appointed there to receive the same by

the R^tt Hon^ble the Lord Prop^ry his Heires & Successo^rs or L^tt Gen^ll for the time being six Indian Arrowes yearely upon the Tenth Day of October as an Acknowledgem^t of his L^spps Dominion over them and also as a pledge of peace. Lib. R.

Signed
Empero^r of Assateague

K Acquintica	K Nuswattax
K Morumsco	K: Pokomoke
Annamessex	K Chingoteague

The other p^t of this was

Signed p ord^r & appointm^t of the Hon^ble Thom: Notley Esq^r L^tt Gen^ll & Chiefe Govern^r &c^a

W^m Stevens.

[Detention of Public Arms.]

C: Baltemore By the Lord Prop^ry Lib. R. R.

Maryland ss. Whereas att a Generall Assembly begun and held at our Citty of S^t Maryes on the Twentieth day of October last past and there continued untill the fifteenth day of November following amongst other things itt was taken into consideracō̄n by both houses of Assembly the greate greivance our Province hath and doth dayly Susteyne by severall private persons keeping in their hands and converting to their owne perticuler private use severall Gunns & other Armes provisions horses bridles saddles and other things that have from time to time been prest for the service of the Country & satisfied and paid for out of the publick Levy to the great losse and dammage of our said Province in Generall And forasmuch as both of our said houses of Assembly did humbly desire us or our Liev^t Gen^ll and Councell to issue forth Proclamacō̄n for the calling in and securing of all such Guns and other Armes provisions horses bridles saddles and other things as foresaid that have bin soe prest as aforesaid for the proper use and service of the Province It is therefore our will and pleasure And wee doe hereby strictly charge and Command all and singuler Our Inhabitants of our said Province haveing in their possession any Gunns Armes provisions horses bridles sadles or other things whatsoever that have att any time heretofore been prest for the Countryes service That they make knowne the same to the Comission^rs of the County Court where they live att the next Court to be holden after Publicacō̄n hereof To the end that such of them as have already been satisfied and paid for out of the publick Levy may be by the said p. 161 p. 162

Lib. R. R. Comission[rs] secured and reserved onely for the Countreys service And that such as have not been duely paid for and satisfied may be returned to their right owners An accompt whereof the Comission[r] of our respective County Courts are (in convenient time and from time to time when and as often as they shall make any discovery of any such Gunns Armes &c. as aforesaid To render unto us or our Lieu[t] Generall or Chiefe Governo[r] for the time being Whereof all persons concerned are to take due notice as they will answer the Contrary att their perill Wittnes our selfe att our Citty of S[t] Maryes Given under our Greate Seale of our said Province the Eighth day of January in the ffourth yeare of our Dominion &c. Annoq Domini One thousand six hundred Seventy Eight.

[Justices of Somerset County.]

Charles &c To William Stevens, William Colebourne John White, Thomas Walker, George Johnson, John Windar, Charles Ballard, David Browne, James Dashield, William Jones, ffrancis Jenkins, William Brereton, Roger Walford and W[m] Ennis of Somersett County Gentl greeting in our Lord God Everlasting Know ye that wee considering with our selfe that this Our Province Depends wholly upon trade, and that wee have not as yett money coine amongst the People here Inhabiting to carry on trade, soe that the Marchant and Planter are both forced to make many debts which causeth many suites att Law, as alsoe that speedy Justice in the Recovery of Debts is therefore the life of all trade, wee have assigned you the said W[m] Stevens, W[m] Colebourne, John White, Thomas Walker, George Johnson, John Winder Charles Ballard David Browne James Dashield, W[m] Jones, ffrancis Jenkins, W[m] Brereton Roger Wolford W[m] Ennis or any foure or more of you (whereof you the said William Stevens, W[m] Colebourne, John White Thomas Walker or George Johnson are alwaies to be One) Justices within Our said County of Somersett to heare and determine all causes or Accō̄ns of debts whether by bill bond or Accompt or trespas upon the Case ariseing upon Accompt according to the Lawes and Customes of this Our Province of Maryland, And therefore wee com̄and you that at the Certaine days settled by the Law of this Our Province for holding Courts in your said County the said Actions you enquire into heare and determine and after judgment Execucō̄n to award doing therein what to Justice appertaineth according to the Lawes and reasonable Customes of this Our Province, saveing to us the

Amerciaments and other things to us appertaineing and to all his Sacred Majᵗⁱᵉˢ Subjects resideing here under Our immediate protection or tradeing within this Province their right of appeale and bringing Writts of Erroʳ in Our Provinciall Court as now by Law is settled and wee comand the Sheriffe of our said County that att the said dayes and places by you or any four or more of you to bee appointed as aforesaid he cause to come before you such and soe many honest and lawfull men of his Balywick by whom the truth of the premisses may the better be knowne and Enquired into In Testimony whereof we have caused the great seale of Our said Province of Maryland to these pʳsents to be affixed the Eighth day of March in the ffourth yeare of Our Dominion Over our said Province Annoq Domi One thousand six hundred Seventy Eight

Lib. R. R. p. 163

At a Councell held at Manahowickes Neck the 30ᵗʰ Day of January in the fourth yeare of the Dominion of the Rᵗᵗ Honᵇˡᵉ Charles &cᵃ over this Province Annoq Dmi. 1678

Lib. R. p. 60

Pʳsent

The Honᵇˡᵉ
- The Rᵗᵗ Honᵇˡᵉ the Lord Propʳʸ
- Thomas Notley Esqʳ Governoʳ
- Philip Calvert Esqʳ Chanceloʳ
- Will: Calvert Esqʳ Secry.
- Baker Brooke Esqʳ Surveyoʳ Genˡˡ
- Lᵗᵗ Coll: Thomas Tailler
- Coll: Benjamin Rozer

Then mett together on purpose to treate with the Empероʳ and great men of Pascattoway according to the result of the Councell at their last meeteing, notice being given to the said Indians to meete his Lˢᵖᵖ and his Councell here this Day in ordʳ thereunto, Who being not yett come his Lˢᵖᵖ ꝓceeds to advise with his Councell touching the conference.

It was proposed by his Lˢᵖᵖ: whither or noe they should proceed to Any further resolution touching the said Conference with the Pascattoway Indians then what was concluded on the last Councell Day before such time as they had spoken with the Empероʳ and his great men, Which was voted in the negative and that what was then concluded on to be delivered to the said Indians was sufficient untill such time as his Lˢᵖᵖ should first have had some conference with them and heard what they have to say and ꝓpose to his Lˢᵖᵖ:

It was likewise ꝓposed that if the Empероʳ and his great men should upon their addresses to his Lˢᵖᵖ acquaint him that his Governoʳ and Councell (in his Lˢᵖᵖˢ: Absence) had accused them of breaking their Articles with us by laying the murdʳ

Lib. R. of severall English to their charge whereof they were altogether Innocent, and did hope his L^spp^ did soe beleive of them, then what answer his L^spp^: would give thereunto. Whereupon It was considered and advised that for answer his L^spp^: would please to tell them, that certain it was some English had been killed, and whither or noe any of their Indians were guilty of the murd^r^ themselves knew better then possibly we might, that if they did know the ꝑsons that committed the same his L^spp^: did not at all question but they would deliver them up According to their Articles w^th^ us.

The Empero^r^ & his great men being come and with them Azazames & Manahawton his L^spp^ enters into further consultation with his Councell before such time as they Admitt
p. 61 of the Indians. Was then proposed by his L^spp^ to the Councell whither it might not be convenient to apprehend Azazames and Manahawton, two Indians guilty of the murd^r^ committed at the head of Pottuxen River (as by severall Indian Evidences & other Substantiall circumstances relateing thereunto it had appeared especially they being none of the great men neither were they sent for, and therefore came not und^r^ colour of the publick faith.

W^ch^ being putt to the vote it was carried in the affirmative and it is resolved that the Empero^r^ & great men together with Azazames & Manahawson be sent for in altogether, and that his L^spp^: ꝓceed to treate with them according to the result of the Councell at the last meeteing, And that in fine his L^spp^: plainly tell them, that he was sufficiently sensible of the murd^r^ committed on Daniel Conningham and his ffamily at the head of Pottuxen River in Aug^t^ last, as also of the persons that committed it whom he now saw before his face, and therefore his L^spp^: did not doubt but they would Deliver them up According to their Articles, if they expected to be protected by him, W^ch^ if they should Deny or refuse to doe it was the Opinion of the Councell that his L^spp^: might justly cause them to be secured.

The Empero^r^ and his greate men together with Azazames & Manahowton being Accordingly sent for. Come in

The Chancelo^r^ is Desired to read to the Interpreter Majo^r^ Boareman the severall ꝑticulars of the Councells result in ord^r^ to this conference the last meeteing w^ch^ the Interpreter accordingly delivers to the Indians with w^ch^ they seeme to be very well satisfied, And make their Request to his L^spp^ for a Supply of Armes and Ammunition great ꝑ^t^ of their Armes being taken in a late Rencounter betweene them and the Senniquos and Susq^rs^ The Interpreter being ord^r^d to ask them what Quantity they had occasion for they made answer that they referred that to his L^spp^: To w^ch^ his L^spp^: was pleased by

his Interpreter to lett them know that According to his Lib. R.
League made with them he alwaies was & still is ready to assist them upon all occasions both for their owne Support and against their Enemies, w^ch^ as his L^spp^: had assured them of soe he expected the like reciprocall ffriendship from them towards his L^spp^: and the English und^r^ his Governm^t^ To w^ch^ they answer that they doe confess and acknowledge his L^spp^ has truly preserved his League with them and kept the Articles, And that for their ꝑts they know none but the Susq^r^ that have broken them.

The Chancelo^r^ hath in charge from his L^spp^: by the Interpreter to tell them that the Lord Prop^ry^ had sent for them to see them and had heard what they had to say, but now he thought fitt to say something else to them (viz:) that his L^spp^ and the People of this Province und^r^ his Governm^t^ have allwaies firmly observed and kept the peace with them. But wee know some of their Indians have not kept the peace with him. There was Conningham his Wife and her Bro^r^ killed at the head of Pottuxen, Wee certainly know who killed them, And my Lord now sees two of them here, and there- p. 62
fore he is forced to speake which he did not intend to doe at this time, but seeing them now before his face he Demands the Empero^r^ to deliver them up According to the Articles, that Azazams and Manahawton are the two ꝑsons w^ch^ his L^spp^: did Demand.

To w^ch^ they answer they know nothing of it and say that none of their Indians had done any mischiefe to the English since his L^spps^ Departure. Whereunto the Interpreter was ord^r^ed to reply that certain it was the murder was Committed & that we did as certainly know those two ꝑsons already named and demanded to be guilty, w^ch^ God had soe ord^r^ed by preserving the life of the Woman soe long as to reveale the same, and that therefore his L^spp^ did again Demand the Delivery of them up if they expected we should continue peace with them, and further that there was yett a third ꝑson w^ch^ his L^spp^ did likewise expect should be delivered up when they should be required soe to Doe, that his L^spp^: had not designed to have made this Demand now but that he saw the murderers now before his face expecting that they would voluntarily of themselves have delivered them up According to their Articles.

To all w^ch^ the Empero^r^ and great men plead ignorance still affirming that they know nothing of it.

The Interpreter was then ord^r^ed to lett them know that although his L^spp^ was very well Satisfied that Azazams and Manahawton then p^r^sent were guilty of the murd^r^ and might justly be apprehended for the same yett his L^spp^ was unwill-

Lib. R. ing soe to doe untill he had first legally demanded the Delivery of them, and did therefore now again make his Demand: Whereat the Emperor and his great men being at a stand without makeing any Reply his Lspp: by his Interpreter desired them to goe apart by themselves and consider of what had been delivered to them, Which they refused to doe saying they knew nothing they had to consider off.

Whereupon his Lspp did again by his Interpreter make Demand of the murdrers to wch they still say they know nothing and can therefore say nothing to that point.

Capt Gerrard Slye and Ltt Thomas Courtney are then ordred to take Azazams and Manahawton into their custody and secure them untill further ordr Wch being done and the Prisoners carried forth, The Interpreter was ordred to give the Emperor and his greate men a ꝑticular Accot of the said murdr from the Beginning according to the relation recd: from the woman her self before her Death and severall others relating to the Discovery thereof Wch the Interpreter having accordingly ꝑformed They Answered as before that they knew nothing of it and therefore had nothing to say to it.

His Lspp was then pleased to tell them that he was willing to think that possibly they might not know of it, but that himself and his Councell were certainly confirmed in the truth thereof, and that there was yett another ꝑson concerned in the murdr whom his Lspp: did expect they should deliver up if they intended to preserve peace and Amity with us

p. 63 Wch having paused upon and considered of for sometime they Desire to know who that other ꝑson was wch we accused, to wch answer was made them that it was Wassetaw whom we accused and Demanded to be delivered up.

They seeme much troubled and absolutely Denied any such thing with severall protestations affirming that he was noe waies concerned in the murder.

It was then Demanded of them that since they certainly knew & had soe positively affirmed that Wassetaw was none of the murderers, they would then declare who was the other ꝑson therein concerned. They answer they know not.

Was then given by his Lspp in charge to the Chancelor to tell them by the Interpreter that those two men (to say Azazams and Manahawton) wch were now carried forth Wee did certainly know to be guilty of the murdr laid to their charge and therefore his Lspp did Desire to know of them whither or noe they thought fitt we should ꝓceed against them as against English men in the like case.

They say that his Lspp had them now in custody & might doe as he thought good.

They were then given to undrstand that his Lspp had not

secured the Prisoners without first makeing his Demand Lib. R.
According to the Articles betweene them & us w^ch^ we desired to know whither they were willing to continue or not.

Whereunto having signified their free consent and Desire his^r^ L^spp^ was pleased to give them further assurances that he would p^r^serve & confirm his League with them soe long as they should keepe the same towards his L^spp^ and the people of his Governm^t^

The Empero^r^ and the rest of the Indians goe apart to consult by themselves onely the Interpreter Majo^r^ Boareman and M^r^ John Stone at their request goes with them.

The Lord Prop^ry^ and his Councell in the meane time consult together what course to take with the prisoners whither to put them to Death before the greate men goe, or keepe them some longer time w^ch^ being putt to the Vote it was by the Majo^r^ p^r^ agreed and advised that the most Secure way would be to cause them to be presently executed, and that in ord^r^ thereunto when the greate men Returne, the Interpreter be ord^r^ed to repeate to them again all the ꝑticulars and circumstances of the murd^r^ & the Discovery thereof, Which appeareing soe cleare and plaine his L^spps^ having Demanded them According to the Articles is at last fully resolved to have Justice Done upon them and that immediately before their faces. The Empero^r^ and the Rest of the Indians returne from their Debate together w^th^ Majo^r^ Boareman and M^r^ John Stone.

Who having seated themselves spake as foll. (viz:)

That formerly they were in the Dark that now God had opened their Eyes to that w^ch^ they could not hitherto perceive, that therefore they did now deliver up Azazams and Manahawton to his L^spps^ as the murderers of the English according to his L^spp^ Demands, that Wassetaw the other ꝑson accused was killed in the late rencounter between them & the Susq^r^ p. 64
and could not be delivered up, that now what they had further to say was to request his L^spp^ (as hitherto he has done) still to preserve his League of peace and Amity with them as they shall on their parts the same to his L^spp^ and the people und^r^ his Governm^t^

His L^spp^ by his Interpreter did signifie to them that he was very well satisfied with their last assurances given him of their intentions to preserve peace and Amity with us by delivering up the murderers according to their Articles, that his L^spp^ was very well pleased and good ffriends with them and would certainly continue his League with them and assist them upon all occasions, and that he was willing to beleive there might possibly be noe more living among them guilty of the murd^r^ (as they say) then those two they had

Lib. R. delivered up w^ch^ his L^spp^ recd: as a sure Testimony of their ffriendshipp.

His L^spp^ did then proceed by his Interpreter to lett them know that he took noe pleasure in exposeing his Enemies to a lingring Death but was minded to bring the murderers to speedy Execution, And did Desire the Empero^r^ and his greate men to declare how they approoved thereof, To w^ch^ they answered that his L^spp^ might doe as he thought fitt that they were very well satisfied and did hope all might be for good.

The Interpreter was then ord^r^ed to tell them that if they had anything further to Offer they might goe and consider thereof to night and in the morning his L^spp^ would heare them.

Whereupon it was considered by his L^spp^ the Lord Prop^ry^ and his Councell here that Azazams and Manahawton by undoubted Indian Evidence and other substantiall Circumstances appeareing and found guilty of the murder committed on Daniel Conningham & his ffamily at the head of Pottuxen River, and for that reason delivered up by the Empero^r^ & great men of Pascattoway be shott to death this Evening at Manahowicks Neck Plantation and that ord^r^ be directed to Capt^n^ Gerrard Slye High Sher. of S^t^ Maries County to see the same Executed.

W^ch^ ord^r^ was accordingly issued and is as foll: viz.

By the L^d^ Prop^ry^ & Councell.

Ordered that Cap^t^ Gerrard Slye High Sher. of S^t^ Maries County take into his custody Azazams and Manahawton two Pascattoway Indians and cause them forthwith to be shott to death without Delay.

Signed &c^a^ J. L. Cl. Con:

p. 65 At a Councell held as before Jan^ry^ 31^th^ 1678:

P^r^sent as yesterday.

It was proposed by his L^spp^: whither or noe it were convenient to Demand the Delivery up of Wassetass the other murd^r^er he being accused by Manahawton himself yesterday in the presence of the Empero^r^ & the other great men before he was Executed, And the onely ꝑson accused by the woman her self that was wounded little before her Death.

Voted that the said Wassetass be Demanded and that his L^spp^ insist positively upon his Delivery but first it was advised that Majo^r^ Boareman should as from himself goe and Discourse with the Empero^r^ & the Rest of the greate men touching the same, and to tell them that he did beleive the Lord Prop^ry^

would make Demand of Wassetass for the reasons aforemen- Lib. R.
tioned.

Wch Major Boareman having pformed He together with the Indians Enter the Roome where his Lspp begins first to lett them know that he was very well Satisfied with what they had done yesterday. Whereunto they answer that they are also alike Satisfied, and think good of it as doth his Lspp:

His Lspp: pceeds further to tell them that to preserve his League with them he had made Demand of those two psons wch they had delivered up yesterday that there was yett one more of their Indians guilty of the murdr and was accused by the woman her self before she died and whom Manahawton did little before his Execution confess to be yett liveing in the ffort his name Wassetass, and therefore to establish and confirm the League of peace and Amity betweene us his Lspp: did Expect they should deliver him up as they had done the other two and did now make his Demand.

Whereunto after some pause they consented and Desired to know whither the said Wassetass should be brought and it was resolved and mutually agreed on that he should be Delivered to Coll: Rozer within Tenn Daies and it was thereupon Ordered that warrant of Execution be directed to sd Coll: Rozer in manner foll: viz.

By the Ld Propry & Councell

Whereas at a Councell held at Manahowicks Neck this 31th Day of January in the fourth yeare of his Lspp: Dominion over this Province &ca Annoq Dom: 1678: it did appeare to his Lspp and his Councell there that Wassetass a Pascattoway Indian was (amongst others) guilty of the murder Committed on Daniel Conningham and his ffamily at the head of Pottuxen River in August last, And fforasmuch as the Empero and greate men of Pascattoway present at the said Councell did then and there promise and engage to deliver up the said Wassetass unto Coll. Benjamin Rozer within Tenn Daies to be pceeded agt according to Justice. It is therefore ordered that the said Coll: Rozer (soe soone as he shall receive the said Indian) cause him forthwith to be shott to death without Delay An Accot whereof when he hath soe Done he is to p. 66
rendr to his said Lspp: or his Ltt Generall with all expedicon.

Signed &ca
JLL Cl: Councel.

At a Councell held at the Honble the Chancelors house at St Maries the sixth Day of March in the fourth yeare of the

Lib. R. Dominion of the R^tt Charles &c^a over this Province. Annoq Dmi. 1678:

The R^tt Hon^ble the Lord Prop^ry
The Hon^ble { Philip Calvert Esq^r Chancello^r; W^m Calvert Esq^r Sec^ry; Baker Brooke Esq^r Survey^r Gen^ll; Coll: Benjamin Rozer } Present

A Comission empowering the Comission^rs of the County Courts to try all Actions of Debt whither by Bond Bill or Acco^t or Trespass upon the Case ariseing upon Accompt of what value soever within their respective County Courts as also a Proclamation pursuant thereunto Read and voted Nemine Contradicente to pass and be published being as foll: viz.

The Comission

Charles Absolute Lord and Prop^ry of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c^a To William Boareman John Coode William Hatton Richard Loyd, Thomas Gerrard, Joseph Pile, Joshua Doyne, Clem^t Hill, James Bowleing, and Richard Gardiner of Our County of S^t Maries gentl greeteing in Our Lord God Everlasting. Know yee that Consid^ring with Our Self that this Our Province Depends wholly upon trade, and that wee have not as yett Coine amongst the People here Inhabiting to carry on Trade, soe that the M^rchant and Planter are both forced to make many Debts which causeth many suites at Law, As also that speedy Justice in recovery of Debts is therefore the life of all trade We have assigned you the said William Boareman, John Coode, William Hatton, Richard Lloyd, Thomas Gerrard, Joseph Pile, Joshua Doyne Clement Hill, James Bowleing, and Richard Gardiner or any four or more of y^u (whereof you the said William Boareman, John Coode, William Hatton, or Richard Lloyd are allwaies to be One) Justices within our s^d County of S^t Maries to heare and Determine all Causes or Actions of Debt whither by Bond Bill or Accompt, or Trespass upon the Case ariseing upon Accompt, According to the Lawes and Customes of this Our Province of Maryland, And therefore Wee comand you that at the certain Dayes settled by the Law of this Our Province for holding Courts in yo^r said County the said Actions you enquire into, heare, and Determine, and after Judgem^t Execution to award, Doeing therein what to Justice appertaineth according to the Lawes and reasonable Customes of this Our Province, Saveing to us the Amerciam^ts and other things to us appertaineing and to all his sacred Maj^ties Subjects resideing here und^r Our Immediate protection or tradeing within this Our Province their

right of appeale and bringing Writts of Erro^{r} in Our Prov^{ll} Court as now by Law is settled. And Wee command the Sheriff of Our said County at the said Dayes and places by you or any four or more of you to be appointed as aforesaid he cause to Come before you such and soe many of the Honest and Lawfull men of this Bayliwick by whom the truth in the premisses may the better be knowne and enquired unto. In Testimony whereof Wee have caused the great Seale of Our said Province of Maryld. to these p^{r}sents to be Affixed the Eighth Day of March in the fourth yeare of Our Dominion over Our s^{d} Provinces Annoq Dmi 1678: Lib. R.

The like Comiss^{n} verbatim mutandis to every County.

By the Lord Prop^{ry}

A Proclamation

Whereas We are Given to und^{r}stand that the trade of Our Province is greately Decayed, & that One great reason thereof is that Debts cannot readily be recovered as matters in the usuall Adm^{r}cō̄n of Justice now stand which in the beginning of the seateing of the Province was sufficiently effectuall by the Cohabitacō̄n or at least neighbourhood of the Justices of Our Prov^{ll} Court who then were noe waies hindered by weather or other Casualtyes from giveing their Constant attendance at the usuall Courts, which are frequent enough if weather and Distance of place did not hinder their meeteing, and soe inevitably cause frequent adjournem^{ts}

Wee therefore for the Ease and benefit of all his Maj^{ties} Subjects either resideing in this Province und^{r} Our Immediate Governm^{t} or tradeing hither, and for the more speedy recovery of Debts which is the life of trade. By the advice of Our Councell have thought fitt hereby to Publish that Wee have by Commiss^{s} und^{r} Our greate Impowered certain Comiss^{rs} in each County of this Our Province to hold County Courts for tryall of all Actions of Debt ariseing within their County & brought there against the Inhabitants of that County by whomsoever or whensoever Contracted whither by Bond Bill or Accompt and to any value soever, saveing to every man notwithstanding his liberty to prosecute in Our Prov^{l} as formerly or in the said County Courts at his pleasure. Whereof we Comand the severall & Respective Sheriffes of the Countys to make publick Proclamation at the usuall places in their Respective Countys, and then to leave the Proclamation fixed in the place where their County Court is usually held, Whereof they are not to faile. Given at Our City of St. Maries und^{r} Our greate Seale Of Our Province of

Lib. R. Maryland the Eighth Day of March in the ffourth yeare Of Our Dominion &c[a] Annoq Domi. 1678:

Was then taken into Consideration of meeteing of the Assembly on the Sixth Day of May next according to the last prorogu̇ation & proposed by his L[spp]: whither it might not be convenient to prorogue the same to some longer time finding noe occasion for their convention soe soone whereupon it was concluded and Ordered that the same be further prorogued untill the thirtieth Day of Septemb: next And that writts of prorogu̇ation accordingly issue forth. Next propounded by his L[spp]: what Sheriffes to continue in their Office for the ensueing yeare and who to be elected in the roome of those that should be remooved. ffor Calvert County Ordered that Capt[t] Bourne succeed Capt. Darnall in the Office of Sheriff, ffor S[t] Maries County the Councell will Consider thereof till the last Day of the Prov[ll] Court, ffor Charles County M[r] W[m] Chandler (if he can gett recōmendations from the Comiss[rs] of th[t] County) then he to continue Sher. there, ffor Anne Arrundell M[r] Robert ffrancklyn Sher: in the roome of M[r] John
p. 68 Welsh, ffor Kent County M[r] Michael Miller (if he cann obteine recōmendations from the Cōmission[rs] of that County) to continue Sher. ffor Baltemore County it is left to the Com[rs] of that County to recommend three persons to his L[spps] choice, the like ffor Cæcill, Tallbott, & Dorchester Counties, ffor Somersett County Cap[t] Walker (if he can ꝓcure recommendations from the Com[rs] to remaine Sher. of that County.

A Peticōn preferred by ffrancis Anketill viz. To the R[tt] Hon[ble] Lord the Lord Baron of Baltemore Lord & Prop[ry] of the Provinces of Maryland & Avalon &c[a]

The humble Peticōn of ffrancis Anketill humbly sheweth

That whereas yo[r] Pet[rs] ffather Dec[d] had a warr[t] out of the Secrys Office for five hundred Acres of Land by vertue of w[ch] warrant Maj[r] William Coursey the then Surveyo[r] of Tallbott County did the 22[th] Day of Aug[t] Anno 1659 in the County aforesaid on the North East side of Harris's Creeke in Choptank River lay out for yo[r] Peticōners ffather the s[d] Quantity of Acres of Land w[ch] either by his mistake in the Returne of his Certficate or the mistake of the then Clerk of the Secrys Office in writeing the Pattent for the said Land, hath rendred the title to the said Land soe obscure that One Ralph Elston Sen[r] hath presumptuosly taken up and seated the same.

Therefore yo[r] L[spps] Peticon[r] humbly craveth a speciall Ord[r] from yo[r] L[spp]: to the said Majo[r] William Coursey to empower and Cōmand him to ꝓfect and cleare the title of the s[d] Land.

And yo[r] Pet[r] as in Duty bound shall and will ever pray &c[a]

W[ch] Peticōn was und[r]writt as foll. viz.

M[r] William Coursey is hereby Desired to repaire to Cap[t]

Philemon Lloyd One of his L^spps^ Comiss^rs^ for Talbott County and testifie upon Oath the Coppy of the Certificate of the above mentioned Land out of his Booke w^ch^ soe testified the said Cap^t^ Lloyd is to transmitt to his L^spps^ Justices of the Prov^ll^ Court und^r^ his hand with all expedition possible. Lib. R.

Signed p ord^r^
JLl. Cl: Consil:

Then mooved to his L^spps^ and the Councell p the Hon^ble^ Philip Calvert Esq^r^ Chancello^r^ to take into Examination an aspersion cast upon M^r^ Christopher Rousby by John Burdett of S^t^ Maries County tending also to the Dishono^r^ of his L^spp^ According to the Evidence given in by John Llewellin being as foll: viz

That about the 19^th^ or 20^th^ Day of ffebruary last to the best of his Remembrance M^r^ John Burdett being then at the Governo^rs^ house did in the Kitchin of the s^d^ house (being severall of the Serv^tts^ then present) whisper in the Ear of the said Llewellin some private News (as he said) which he heard Desireing the said Llewellin not to Divulge it for that onely himself and the pson that told him knew any thing of it. Which was that his L^spp^ the Lord Prop^ry^ and M^r^ Christopher Rousby had lately had some high words, that M^r^ Rousby p. 69 called his L^spp^ Trayto^r^ to his face, and his L^spp^ Offering to speake again M^r^ Rousby told him he had best hold his tongue & say noe more or words to that effect, that the next Day or soone after his Lspps Negro Boy Peter was sent away in all haste to S^t^ Maries who was seene to ride very hard being sent as was supposed for his Hono^r^ the Chancello^r^ that the Chancello^r^ was seene to goe back with the said negro and had been at Mattapony almost every Day since, that he the s^d^ Burdett had rec^d^: this Intelligence from One M^r^ Person liveing in the house with M^r^ Rousby.

Whereupon Ordered that John Burdett be summoned to make his appeareance at the Councell Board to morrow afternoone at 3 a Clock where the said Person is also to appeare.

At a Councell held at Ditto place the 7^th^ Day of March 1678:

Where were present as yesterday together with L^tt^ Coll: Thomas Tailler

John Burdett According to summons yesterday makes his appeareance and being examined Ownes the words by him spoken to John Llewellin According to the Information of the said Llewellin but Denies the Author to be M^r^ Person, but that he had it from One Thomas Smith, that M^r^ Person never spake One word of it, Whereupon Ordered that the said

Lib. R. Burdett be Empowered to summon Anthony Evans of St. Maries County (who the said Burdett did alleadge was in Company when the said Smith Spoke the words) to appeare before the Councell to morrow three a Clock afternoone and that he the said Burdett Doe also give his attendance. The following Ordr did accordingly issue forth directed to the said Burdett, viz

You are hereby willed and Required to summon Anthony Evans of yr County to appeare before his Lspps Councell at the Honble the Chancelors house to morrow three of the Clock afternoone to testifie the truth of his Knowledge to such matters as shall be then and there propounded to him, Dated the 7th Day of March Anno 1678: Signed p ordr
J Llewellin Cl. Concil:

To Mr John Burdett of St
Maries County These.

Capt Gerrard Slye high Sheriff of St Maries County is Ordred by the Councell to take into custody Thomas Smith of St Maries County soe that he have him before the Councell to morrow afternoone 3 a Clock.

Warrant also Directed to Mr John ffawkes of Calvert County to take into custody William Person and to bring him before the Councell at the same time. Wch is as foll: viz.

Charles Absolute Lord and Propry of the Province of Maryland & Avalon Lord Baron of Baltemore &ca To Mr John ffawkes of Calvert County Greeteing We comand you that you take William Person of yor County soe that you have his Body before his Lspps Councell at the house of the honble Philip Calvert Esqr to morrow by three of the Clock afternoone to answer unto such things as shall be then and there alleadged agt him hereof faile not and have you there this precept. Given undr my hand & Seale this 7th Day of March Anno Dmi. 1678:

Signed Will { locus Sigilli } Calvert

[County Courts.]

Lib. R. R. p. 163 Maryland ss.

By the Lord Propry
A Proclamacōn

Whereas wee are given to understand That the trade of Our Province is greatly decayed and that One great reason thereof is that debts cannot readily be recovered as matters in the usuall Administracōn of Justice now stand which in the

Begining of the seating of the Province was sufficiently effectuall by the Cohabitacōn or att least neer neighbourhood of the Justices of Our Provinciall Court who then were no wayes hindred by weather or other casualties from giving their Constant attendance att the usuall Courts which are frequent enough if weather and distance of place did not hinder their meeting and soe inevitably cause frequent Adjournments Wee therefore for the ease and benefitt of all his Ma^ties^ Subjects either resideing in this Province under Our Imediate Goverment or Trading hither and for the more speedy Recovery of debts which is the life of Trade By the advice of our Councill have thought fitt hereby to Publish, That wee have by Comission under Our great seale Impowered Comission^rs^ in each County of this our Province To hold County Courts for tryall of all Accōns of debt arrising within their County and brought there against the Inhabitants of that County By whomsoever or whensoever Contracted whether by bond bill or Accompt and to any Value whatsoever saving to Every man notwithstanding his liberty to Prosecute in Our Provinciall as formerly or in the said County Courts at his pleasure Whereof wee Comand the severall and respective Sheriffs of the Countyes to make Publick Proclamacōn at the Usuall places in their respective Countyes and then to leave the Proclamacōn fixed in the Place where their County Court is Usually held Whereof they are not to faile Given at Our Citty of Saint Maryes under our greate Seale of our said Province of Maryland The Eighth day of March in the ffourth yeare of Our Dominion &c Anoq Dom. 1678 Lib. R. R.

At a Councell held at Ditto place the 8^th^ Day of March Anno 1678: Lib. R. p. 70

The hon^ble^
- The Chancello^r^
- The Secry
- Coll Brooke
- Coll. Rozer

William Person und^r^ custody of M^r^ John ffawkes and Thomas Smith und^r^ the Custody of the Sheriff of S^t^ Maries make their appeareance, as also Anthony Evans according to summons directed to John Burdett he being likewise present.

Anthony Evans first Examined what he had to say in the premisses upon Oath Did Declare.

That One Day at S^t^ Johns in the Hall of that house Thomas Smith, himself and some others being in Company they were talking of News that he heard the said Smith say that M^r^ Rousby had grossly abused his L^spp^: calling him Runnaway or

Lib. R. words to that effect and that he Deserved to be sent home fast, or in Chains, that upon those words his L^spp^ asked M^r^ Rousby what was the reason he had soe abused him, that M^r^ Rousby thereupon rapt out a greate Oath and swore that what he said was true that he had from und^r^ the Kings hand and Seale for it and that her Ladyshipp upon this Discourse fell a crying.

John Burdett then sworne saith that in the Hall of Henry Exons house at S^t^ Johns he heard Thomas Smith say, that his L^spp^ and M^r^ Rousby had lately in discourse had extraordinary high words that M^r^ Rousby called his L^spp^: Trayto^r^ and told him he might expect to heare more of it or words to that effect.

William Person next Examined what he knew in the premisses positively Denys that he ever heard any thing of that nature; and nothing being alledged ag^t^ him he is Dismissed.

Thomas Smith then called and Examined where he had this Intelligence upon Oath Declares as foll: viz

That one ffriday night to the best of his Remembrance after he came with his Sloope from the Governo^rs^ house he was lyeing in the Cabin of his s^d^ Sloope and another Sloope of Henry Exons was lyeing by w^ch^ had also been at the Governo^rs^ house for wines In w^ch^ Sloope was one Arthur Hart who went home in the night, and about breake a Day came aboard his the said Smiths Sloope bringing with him his Mate one Thomas Price that the said Arthur Hart went aboard s^d^ Exons Sloope to Draw a bottle of wine and returned again where falling into Discourse with the s^d^ Price he the said Smith (still lyeing in his Cabin) heard him say that M^r^ Rousby had called the L^d^ Prop^ry^ Runnaway w^ch^ if a poore man had Done he would certainly have been laid Neck and heeles, but M^r^ Rousby was not afraid to tell him soe, Whereupon he the said Smith heareing these words rose out of his Cabin and told them it could not be that he did not beleive any such thing. To w^ch^ the said Hart replied it was true that they heard it credibly reported at a Christening or a ffunerall (whither he the s^d^ Smith cannot now certainly remember) And that the s^d^ Price immediately stood up and said yes it
p. 71 was true Enough, And that the Lord Prop^ry^ had thereupon taken his Negro Peter and was gone up to the Governo^rs^ house, Moreover the said Hart or Price one of them said that her Ladyshipp dureing the Discourse betweene his L^spp^ & M^r^ Rousby fell a crying, and that M^r^ Rousby swore he had spoke noe more then what he could produce from und^r^ the Kings hand and Seale for; And further the s^d^ Smith saith that One Simon Perden then in the Sloope with him heard the s^d^ Hart and Price utter these words.

Whereupon Ordered that summons for Simon Perden and Warrant for Anthony Hart and Thomas Price be directed to the Sheriff of S^{t} Maries County to have them before his L^{spps} Councell Monday the 10th instant at 3 a Clock in the Afternoone, viz. Lib. R.

You are hereby willed and Required to summon Simon Perden of the Balywick that all excuses sett apart he be and ꝑsonally appeare before his L^{spps} Councell on Monday next the Tenth instant by three of the Clock precisely afternoone to testifie the truth of his knowledge unto such matters and things as shall be then and there propounded unto him. Whereof faile not Dated the Eighth Day of March Anno 1678: Signed ꝑ ord^{r}

J Llewellin Cl: Consil

To Cap^{t} Gerrard Slye High Sheriff of
S^{t} Maries County or his Deputy

These

You are hereby willed and Required to take into y^{r} Custody Anthony Hart and Thomas Price soe that you have their Bodyes before his L^{spps} Councell on Monday next the Tenth instant by three of the Clock precisely afternoone then and there to make answer unto such things as shall be alleadged ag^{t} them. Whereof faile not. Dated the Eighth Day of March Anno 1678: Signed ꝑ ord^{r}

To Cap^{t} Gerrard Slye High Sher. of S^{t} Maries County or his Deputy

J Llewellin Cl. Consil:

These.

At a Councell held at the same Place as on Satturday last, Where present this Tenth Day of March Anno 1678:

The R^{tt} Hon^{ble} the L^{d} Prop^{ry} and the Rest as on Saturday

His L^{spp}: and the Councell haveing taken into further consideration the Disposeall of the Offices of Sher. in the Severall Counties of this Province Doe positively ord^{r} therein as foll. viz.

ffirst for Calvert Cap^{t} Bourne being made choice of by his L^{spp}: & the Councell the last time the same was in Debate, they haveing further considered s^{d} Bournes incapacity (by reason of his lameness) to manage that Office, Doe appoint Cap^{t} Richard Ladd Sher. of that County for the ensueing yeare, in roome of Cap^{t} Darnall.

Anne Arrundell, Robert ffrancklyn, (according to the former result of the Councell) to be sheriff of that County, in roome of M^{r} Welsh.

Lib. R. S[t] Maries County. Majo[r] William Boareman, in roome of Cap[t] Slye.

Charles County. M[r] William Chandler to continue

Kent County. Michael Miller to continue.

p. 72 Talbott County. Majo[r] W[m] Coursey in roome of Coll. Lowe.

Somersett County. Cap[t] Tho: Walker to continue if noe Comp[lt] from the Com[rs]

Dorchester County. Stephen Gary in roome of Cap[t] Taylor.

Baltemore County Majo[r] Tho. Long to continue.

Cæcill County. Cap[t] Jonathan Sibrey to continue.

Complaint haveing been made to his L[spp]: that there is a ꝑson in Somersett County who (haveing a warrant to take up some Land in s[d] County hath laid out and is intended to seate among the Indians upon the Land where they now live to the greate annoyance and Dissatisfaction of the said Indians who Desire to live among themselves without Disturbance. It is therefore Ordered that Proclamation issue forth ꝓhibiting all ꝑsons whatsoever to seate upon any land where any of Our Neighbour Indians are actually seated or soe neere to them as to annoy or Disturb them without further Ord[r] from his L[spp] and his Councell.

His L[spp] and the Councell haveing been informed that there is an Indian lately come to the Pascattoway ffort from the Sinniquas doe resolve to Deferr giveing any positive answer to the Pascattoway Indians concerning Wassetass (whose life they had earnestly requested his L[spp]: to spare) untill such time as they should first have some Discourse with the s[d] Indian of the Sinniquas in ord[r] to their better und[r]standing the present posture and condition of the said Indians. But upon further consideration it was Concluded & advised by the whole Councell Nemine contradicente that if the Pascattaway Indians should be further earnest and importunate with his L[spp]: for the life of Wassetass, that then his L[spp] would please to extend his mercy to him in giveing him his life at their request.

Ordered that notice be given to the Pascattoway Indians by James Smallwood of Charles County that his L[spp] and the Councell will be at the Governo[rs] house on Munday or Tuesday next where they Desire to speake with the Indian that lately came from the Senniquas, Who they Desire to come thither at the time appointed, and that in ord[r] to the conference Thomas Baker of Charles County (if he be able to come) be required to give his attendance there as Interpreter, and in case of his not being able to come then that Majo[r] W[m] Boareman be Desired to be there at the time preefixed.

At a Councell held at the same Place the 11th of March 1678: Lib. R.

Present The Honoble { The Chancelor, The Secry, Coll: Brooke, Coll: Taylor, Coll: Rozer.

Capt Richard Covill Commandr of the Shipp ffrances of Londo having last yeare upon his arrivall there from this Province falsly and Malitiously Reported that the Governr of this Province had by Ordr from his Lspp the Ld Propry imposed an Oath of ffidelity on the People of this Province by wch they were to sweare allegiance to his sd Lspp against all Princes whatsoever and more specially agt his Sacred Majestie Our Soveraign Lord the King of great Brittaine &ca his Lspp: Councell in Vindication of his Lspps: Honor and Innocency agt soe black an aspersion Wherein themselves and his Lspps: Governmt are soe neerely concerned thought fitt to sett forth this following Declaration grounded upon one sett forth p the Governor himself to the same purpose. p. 73

Beeing informed by a Declaration of the Honble Thomas Notley Esqr Governor of this Province lately published for his Owne and the Lord Proprys Vindication, that One Richard Covill Marriner (who as Master of a Shipp traded here last yeare) had at his returne to London reported that by ordr of the Rtt Honble Charles Lord Baltemore Propry of this Province of Maryland his Officers here had imposed an oath upon the people here by wch they were required to sweare ffidelity to him the said Lord Baltemore against all Princes whatsoever but more Especially agt his Sacred Majtie Our Soveraign Lord the King of England, Banishing all such who refused the sd Oath. We thought it Our Duty not to be silent, nor becomeing men of Common sense to lett ourselves & the Governmt committed to our care lye undr soe foule a scandall, Wherefore (having had the Administration of Justice in our hands for Divers yeares before his said Lspp: made the said Notley his Lievetenant here as well as since) Wee Doe Declare and Publish that never any such oath was imposed or tendered to any pson or psons whatsoever within this Province or tradeing here since we have here resided (which hath been for the space of Twenty yeares at least) and consequently never any man imprisoned or otherwise punished for refuseing to take the same, neither is any oath or other tye of that nature to be found upon record in this Province. This being the truth of the case, and such as we hope may Satisfie the whole world

Lib. R. that we are and ever have been true Leigeman to Our Soveraign Lord the King. We have Signed it with Our hands and humbly pray his s^d^ L^spp^: that he will ord^r^ his L^spps^: Chancello^r^ for this Province to publish this Declaration und^r^ the greate Seale of this Province that full ffaith and Creditt may be given to it in England.

Signed
Philip Calvert
William Calvert
Baker Brooke
Thomas Taylor
Benj^n^ Rozer for soe long as I have been in the Province w^ch^ is seaventeen yeares.

The following Ord^rs^ then issued according to the ord^r^ of Councell yesterday directed to James Smallwood of Charles County: viz:

March 10^th^ 1678: By the Lord Prop^ry^ & Councell.

You are hereby willed and Required upon Sight hereof to goe to the Piscattoway ffort and to acquaint the Empero^r^ and his greate men that his L^spp^ the Lord Prop^ry^ & his Councell being informed that there is an Indian lately come from the Sinniquas and now in the Pascattoway ffort have a Desire to speake with him, and in ord^r^ thereunto will be at Governo^r^
p. 74 Notleys house on Monday next the Seaventeenth instant where the said Indian is also Desired to be at the time appointed.

To James Smallwood of Charles County,
These

Signed p ord^r^
J Llewellin Cl. Consil:

March 10^th^ 1678: By the L^d^ Prop^ry^ & Councell

You are hereby willed and Required upon Sight hereof to give notice to Thomas Baker of y^r^ County that he give his attendance at Governo^r^ Notleys house on Monday next the Seaventeenth instant if he be capable of comeing thither, if not then y^u^ are to give the like notice to Majo^r^ William Boareman of S^t^ Maries County.

To James Smallwood of Charles County.
These

Signed p ord^r^
J Llewellin Col. Consil:

It was likewise Ordered that Coll Rozer signifie to James Smallwood by Letter that if the Pascattoway Indians should be inquisitive to know of him what his L^spp^: intended concern-

ing Wassetass, then that s[d] Smallwood should lett them know Lib. R.
that if the Empero[r] or any of his great men would come to the Governo[rs] on Munday next the 17[th] instant, they should there receive an answer.

[Prorogation of Assembly.]

A Proclamacōn

Whereas the last Generall Assembly begun and held at the Lib. R. R.
Citty of Saint Maryes the Twentieth day of October last past was Prorogued untill the second Tuesday in May next Ensueing And was for divers good Causes and Consideracōns relateing to the state and welfare of this our Province we have by and with the advice and Consent of our Councell determined and Ordained And we doe hereby fully Resolve determine and Ordaine that the said Generall Assembly be p. 165
Prorogued untill the last Tuesday in September next ensueing the date hereof And we doe hereby will and require as also strictly Charge and Comand all and singuler the Sheriffs of this Our Province forthwith upon receipt hereof to make Publick Proclamacōn hereof in the most Publick and Convenient places within their Respective Countys And to give notice to all and singular the delegates and deputies by the ffreemen of their County already Elected or for that purpose to be Elected that (all Excuses sett apart) they and every of the said Delegates Come and personally appeare at the said Citty of Saint Marys On the said last Tuesday in September next Ensueing to doe and Consent to these things which then and there by the favour of God shall happen to be Ordained by us by and with the advice and Consent of Our great Councell of this Our Province Concerning the state and welfare of this Our Province As also to give notice to such of our Councell as Inhabitt within their Respective Countyes that (all Excuses sett apart) they alsoe be and appeare att the day and place aforesaid to the End and purpose aforesaid Given att Our Citty of Saint Maryes Under the Great seale of our said Province of Maryland the ffourteenth day of March in the fourth yeare of our Dominion &c Anoq Domi. 1678

[Protection to Indians.]

Maryland ss.

By the Lord Prop[ry]

A Proclamacōn

Whereas we are given to understand that there is a Neck of Land lying in Somersett County Called Asbincenekonson

Lib. R. R. Neck on the North side of Pocomoke River; whereon a great number of Indians doe live, also that there is a Neck of Land called Quapanquah Containing about three thousand Acres lying on the South side of Pocomoke River in the County aforesaid whereon Indians are seated One other neck of Land called Parrahockon Containing about two thousand Acres whereon is built a small Indian Towne by a Creeke of Pocomoke River that Trencheth out of the North side of the said River And that there are severall Indians seated in a neck of Land lying on the South side of Wiccocomoco in Somersett County aforesaid att Tundotenake which part of our Manno^{r} And also that there is neck of Land of a Considerable quantity of acres whereon Indians are seated lying on the north side of Wiccocomoco River by a Creeke called Cottinghams Creeke. Also that there is a Neck of Land called
p. 166 Puckamee which lyes on the South or Eastermost side of Nantecoke River in Somersett County aforesaid and on the North side of Barren Creeke containing about fifteen hundred Acres whereon Indians live and also that severall Indians lives att Chiccacene on the North or westermost side of Nantecoke River in Dorchester County which is part of our Manno^{r} there And whereas a firme League or peace is concluded on betwixt us and the said Indians, & for the preservac$\bar{o}$n whereof we by and with the advice of our Councell have thought fitt and doe hereby Publish Proclaime and declare that no person or persons whatsoever inhabiting within Our said Province of Maryland doe att any tyme for the future molest trouble or disturb any of the Indians that are seated On the neck of Land called Asbincenebonson, Quapomquah, Parrahocben, Puckamee, Tundotanck and the neck of Land by Cottinghams Creeke But that the aforesaid Indians may peaceably and quietly seat live and inhabit there without lett or molestac$\bar{o}$n untill we shall advise with Our upper and lower houses att our next Generall Assembly Concerning the same And that no person or persons whatsoever doe in the interim presume to seat live or inhabit backward into the woods within three Miles of any of the aforesaid necks of Land Hereof all persons are to take notice att their utmost Perill Given att our Citty of Saint Maryes under the Great Seale of our said Province of Maryland the Thirteenth day of March in the fourth yeare of our Dominion &c Annoq Domini One thousand six hundred Seaventy Eight.

Lib. R. p. 74 At a Conference held at Manahowickes Neck the 19th Day of March in the ffourth yeare of the Dominion of the R^{tt} Hon^{ble} Charles &c^{a} Annoq. Dmi. 1678: betweene the R^{tt} Hon^{ble} the Lord Prop^{ry} & the hon^{ble} Thomas Notley Esq^{r} his

L^tt^ of this Province, And the Speaker and greate men Lib. R.
Indians of Pascattoway.

And first his L^spp^: by Thomas Baker the Interpreter Delivers himself to the said Indians in manner foll: viz.

I Desire to know how the Empero^r^ Doth because I see him not here, that I should have been glad to have seene him here this Day, that I came here to meete him in ord^r^ to give him & his greate men an answer to a message del^d^ by some of their Indians to James Smallwood touching an Indian I had Demanded of the Empero^r^ when I saw him here last.

James Smallwood Informed us that the aforesaid Indians were ordered to tell us that if Wassetass was Demanded by the English he should be del^d^ up, but that the Empero^r^ and all of the Indians in generall did earnestly desire & begg his life might be spared, he being a greate man, and as they all beleived innocent as to any murder Committed upon the English at Pottuxent

And because the Empero^r^ his greate men and the Rest did soe earnestly begg this Wassetass Life, I was come here to meete with the Empero^r^ to give him and his greate men an assurance that I was willing to grant their request by giveing them the life of this person, hopeing that for this favour and mercy Shewn at their greate request, The Empero^r^ & his p. 75
greate men would take care to give their young men good Advice and Councell to carry themselves civilly towards all the English, that noe breach of the Articles of peace may be made by them for the future, And then I and the English should be satisfied of a happy & good und^r^standing hence forward which on the part of the English should not be wanting.

Which the Interpreter having Delivered Distinctly to them. The Speaker makes answer as foll. viz.

That the Empero^r^ was at the ffort but soe sick that he could not come That he would gladly have come to see his L^spp^: had he been able. That the Empero^r^ had Committed all to the Speakers managem^t^ at this Conference and that what he said might be taken as coming from the Emperours owne mouth.

He then proceeds to returne thankes to his L^spp^: for his greate favo^r^ & mercy towards them in granting them the Life of Wassetass w^ch^ they had so earnestly implored at his L^spps^: hands withall calling his L^spp^: ffather & that they had found favo^r^ at his hands, And further saith that it is true the English can draw good Speeches in writeing & Speake very well but for their parts they could Deliver nothing but with their lipps, and what they did say was straight and good beeing unacquainted with any thing that is crooked and naught.

His L^spp^: then ord^rs^ the Interpreter further to lett them know

Lib. R. that for the further Satisfaction of the Emperor and all his Indians & their assurance of this his L^spp favo^r to them he was willing and Did purpose to give them a Testimoniall thereof in writeing und^r his hand

To w^ch they Answer that they well approove thereof And though they cannot read yett they will be sure to preserve and make much of it, And that the Empero^r and his men Doe owne themselves his L^spps: People.

His L^spp: Comands the Interpreter to tell them that he lookes upon them as his ffriends and that he will (soe long as they continue soe to be) endeavo^r to preserve and protect them.

Whereunto they again reply that they are his L^spps: People, and that although they may phapps hold a Matchacomico & Consult with themselves upon occasion what to Doe and how to ord^r their affaires Yett will make his L^spp acquainted with their Designes And if he doe not approove thereof they will knock it off and not prosecute the same.

The Interpreter is then ord^red to tell them that his L^spp was informed that there was one among them that lately came from the Sinniquos, that his L^spp had a greate Desire to see and speake with him.

They say he was come with them for that purpose his L^spp: haveing signified to them such his Desire by James Smallwood.

The said Indian th^t came from the Sinniquos being made acquainted with his L^spps Desire to speake with him Concerning the Sinniquos proceeds to give this foll Acco^t

And first he beginns laying on the table five single Cornes some small distance from each other, and four together at One end by w^ch he signified four townesof the Sinniquos from whence he came, the four next single Cornes he likewise declared
p. 76 to be four other townes of the Sinniquos, the two middlemost whereof the Susquahannohs had divided themselves amongst & lived there (to say) one half at one Towne the other half at the other. The ffifth and outermost of the five single Cornes he Declared to be a place Inhabited by English where the Sinniquos vs'd to trade and whither he was sent from the four first Townes before mentioned with a present w^ch he Delivered, but by the Description of the said place w^ch he gave to be a place of great resort and trade with the said Indians for Powd^r Shott &c^a it appeared to be ffort Albany and that they were Dutch to whom he had Delivered the Present.

The said Indian likewise saith that when he was taken Prisoner by th^m they threatned to Destroy him & he expected every moment when it would be untill he came to the first mentioned foure Townes where the greate men told him they would spare his Life, that he should not be dismembred or

hurt in the least the names of the said four Townes he Lib. R.
Declared to be as foll: two of them called Quonederonook, One called Dehangtook, & the other Gonnawdeah, the other four Single Townes called viz. Ondachehochan, Ocajongo, Wottaughten, & Taymongosour.

Then queried of him whither or noe there were any more Townes then those he had already Described. Whereto he replied that there were severall Townes more and a great many Indians but all peaceable and quiett excepting onely those two Townes among w^ch^ the Susq^s^ had Divided themselves.

He likewise Declared that at Every ffort there was some English as he called them being of that nation from whence they supplied themselves with powd^r^ and shott. And being asked whither those English were such as had been taken by them yea or noe, he answered they were not such but their great ffriends and Netopps.

The said Indian further Declared that before he came away he made the said four nations from whence he came acquainted with his Designe of Comeing home and that they consented to lett him bidding him goe and see his ffriends and acquaintance both Indians and English withall willing him to satisfie his ffriend Indians, And the English & Governo^r^ of Maryland who it was had Done the English all the mischiefe, and that those two nations w^th^ whom the Susquehannohs lived would certainly yett doe more mischiefe both to the Pascattoway Indians and the English but as for their parts they resolve to Doe noe mischiefe to either, they likewise enjoyned him the said Indian to be sure to returne again the w^ch^ he saies he resolves to Doe in Tenn Dayes.

Queried whither those two nations with whom the Susq^s^ harboured were at warr or peace with the other foure from whence he Came to w^ch^ he answered they were alltogether at peace and Amity one with another and that the Susq^s^ goe from Towne to Towne peaceably as ffriends & netopps but that the said four nations seeme to blame the English very much for letting soe many of the Susq^s^ escape as there did for that they are of such a turbulent bloody mind that they will never cease Doeing mischiefe both to the English & Pascattoway Indians soe long as a man of them is left alive.

Again Queried whither those two fforts with whom the p. 77
Susq^s^ live be of the same bloody mind as themselves, To w^ch^ he replied that at ffirst they were not but by the insinuation & instigation of the Susq^s^ he does beleive that they are now become all One. He likewise saith that the Susq^s^ laugh and jeare at the English saying they cann doe what mischief they please for that the English cannot see them.

Lib. R. Queried how many Daies Journey from those ffour fforts mentioned (from whence he came) to the Pascattoway ffortt, to w^ch^ he made answer that he was three Moones comeing from thence.

Qu: Whither he intended to returne back thither again alone

Answ: Yes.

Qu: Whither the Susq^s^ did intend to come downe against the Pascattoways and the English in Virginia, Whereunto the Speaker Replyed That there was Another Indian at the Pascattoway ffort w^ch^ was taken prisoner and had lately made his escape from those two middle Townes of the Senniquos with whom the Susq^s^ lived who was ord^r^ed within three Dayes to be putt to the ffire w^ch^ made him Adventure his life in flight rather then stay there to be burnt, The said Indian does Relate.

That the Greate man of the Susq^s^ made a Speech to this effect. That he was pretty well Satisfied with the Revenge he had taken of the Virginians by the help and assistance of those Indians And now did intend to fall upon the Pascattoway Indians and the English in Maryland for that he had Done little or nothing there yett but resolved now to Doe what mischiefe he could to them, that a Considerable ^p^ty of them were gone forth before the said Indian made his escape w^ch^ was about 20 Dayes since.

Then Queried What fforce those two fforts might consist off

Answ: soe strong they could not express it.

The said Greate men of the Susq^s^ likewise Declared that he would never have any peace with the English, or the Pascattoway, Choptico, or any other Indians whatsoever on the South Side of Potapsco to whom he will never cease to Doe all the mischiefe he cann, but for those on the other side of Potapsco they have noe prejudice ag^t^ them haveing never recd: any injury from them and therefore know noe reason they have to meddle with them. He likewise further did Declare that they had lately killed some English in Maryland but the English had laid it upon the Pascattoway Indians.

Queried of that Indian that came from the aforesaid four townes of the Sinniquos & intended thither back again whither he resolved to live there or not.

Answ: that he had recd: soe much civility & kindness from them that he did long to see them as much as his owne ffriends & acquaintance, but would returne back again in two yeares time unless they should send him upon some Message sooner (whereof he at present knew nothing) otherwise he intended to stay among them soe long, but then resolved to come back

Qu: Whither any of those two Nations with whom the Susq^{s} live had among them any English that were taken out of Virginia last yeare. Lib. R. p. 78

Answ: There are among them two English w^{ch} were taken last yeare whom they have soe farr corrupted that they are become all one Indians with themselves and as forward for any mischief as they themselves cann be, there were also more English among them but whither they are Ransomed or killed or what is become of them they know not.

Qu: Whither the aforementioned severall nations of Indians did not vsually goe once or twice a yeare to th^{t} place where the English (as they call them) live, to trade.

Answ: Yes and that the next moneth the said Indians are intended thither, where they trade with Skinns and receive in truck Powder Shott, Gunns, and Matchcoates.

Qu: whither any ffrench lived among those Indians at the four forementioned Townes from whence the Indian came that intends back again.

Answ: that the ffrench sometimes came among them to trade and that some of them are frequently amongst those Indians.

His L^{spp}: p the Interpreter then gave them to und^{r}stand that he was very gladd to see them and to receive this relation from them wherein he tooke a greate Deale of Satisfaction, Desireing that Indian the next time he came for Maryland to bring a ffrench man with him for that his L^{spp}: und^{r}stood ffrench and could discourse wth him.

To w^{ch} the said Indian replied smileing that it was not to be expected for that he would never be able to und^{r}take & pforme soe long a journey. His L^{spp} further told them that he was of Opinion that there were severall ffrench men vsed to come Downe in those parties they have from time to time sent out

To w^{ch} they say possibly there may be some such among them as likely as those two English before mentioned

The Speaker then pduces and layes upon the Table a broad Belt of Peake saying this is Our Paper and although the Axe seemes to be laid at our heads for the present Yett wee intend to send this Belt as a token of our Love to the four nations of Indians from whence Our ffriend came by whom we intend to signifie our Love and ffriendshipp towards them for all their civility shewed to him, but whither he may live to carry it to them or be killed by the way we know not, but are resolved to venture.

The said Indian p whom it was to be sent then Speakes and Saies that he will carry it and Deliver it to One of the greatest men of the greatest nation of those Indians as a token of ffriendshipp and Amity from the Emperour of Pascattoway

Lib. R. To w^ch^ his L^spp^: p the Interpreter did reply that he well approved thereof and did not question but it would be accepted & hoped it might worke good effects, and that for his owne part he looked upon the said ffour nations of Indians
p. 79 as his good ffriends and would also consider of some Present to be sent them in convenient time but at present could not provide any to send them p the s^d^ Indian, And did Desire him to signifie to them his L^spps^: resolutions to preserve peace and Amity with them hopeing that they will continue the same towards him and the English in Maryland und^r^ his Governm^t^

The Pascattoway Indians then moove his L^spp^: for a Supply of Powd^r^ and Shott setting forth the great want they are in and Daily expecting their Enemy to fall upon them and that unless his L^spp^: will please to furnish them for their Defence they must be forced to fall to makeing of Bows and arrows wherein for want of practice they have not that experience as formerly and soe consequently must inevitably Suffer for want of better provisions to secure themselves. Whereunto his L^spp^: p the Interpreter did make answer that true it was he had already given some assurance to the Empero^r^ the last time he saw him that they should not want such necessary assistance & Supplyes as he could in reason afford them w^ch^ assurance he did firmly purpose to make good to them but at present his L^spp^: onely came himself to see and speake with the Empero^r^ and his greate men concerning what hath been already treated off, And therefore could not resolve upon what quantity of powder & shott might be suitable for their occasions untill such time as his L^spp^: should first have advised with his Councell touching the same w^ch^ he did assure them should be within Tenn Dayes by what time they might send to Mattapony and there receive a Supply.

They further moove his L^spp^: for a Supply of Armes haveing lost at least a hundred Gunns taken at Severall times by the Enemy insomuch that they have not Sufficient wherewithall to Defend themselves.

To which his L^spp^: made answer that he would consider thereof and when they sent for the powder & Shott, they should receive a further answer to that pticular.

Wherewith they seemed well Satisfied. And presented his L^spp^: with severall Beaver and other Skinns.

His L^spp^: recd: the same And Dismissed them with the foll: Testimoniall relateing to Wassetass: viz.

(Sigillum) C Baltemore

Charles Absolute Lord and Prop^ry^ of the Province of Maryland and Avalon Lord Baron of Baltemore &c^a^ To all persons to whom these presents shall come greeteing in Our Lord

God Everlasting. Whereas the Empero^{r} and greate men of Pascattoway have earnestly importuned and sollicitted us to spare the life of One Wassetass als: Wassetaugh a Pascattaway Indian who hath layne und^{r} Suspition of being One of the murderers of Daniel Conningham and his ffamily at the head of Pottuxen River in the moneth of August last alleadgeing that he is altogether innocent and cleare of the same, And fforasmuch as it hath not fully appeared to us that he is guilty of the same. Know yee therefore that Wee willing to gratifie the Request and Supplication of the said Indians Doe hereby fully acquitt & Absolve the said Wassetass without bringing him to any further triall. Given und^{r} Our hand and Seale at Armes the 19th Day of March in the fourth yeare of our Dominion over our said Provinces. Annoq Dmi. 1678: Lib. R. p. 80

[Commission to Vincent Lowe.]

C Baltemore Lib. R. R.

Charles absolute Lord & Prop^{ry} of the Province of Maryland & Avalon Lord Baron of Baltemore &c To all to whom these p^{r}sents shall come greeting Know ye that we reposeing speciall trust & confidence in the integrity & abilities of our trusty & welbeloved Brother in Law Vincent Lowe Esq^{r} doe by these p^{r}sents constitute & appoint him the said Vincent Lowe to be our Survey^{r} Gen^{ll} of all and singuler our Castles Lordshipps Mannors fforrests Chases Parkes Messuages lands and tenem^{ts} woods rents, revenues possessions & hereditaments whatsoever within our said Province of Maryland And we doe hereby also Grant unto him the said Vincent Lowe all ffees Perquisitts reguards advantages profitts & allowances whatsoever to the said Office belonging or appertaining as fully & entirely & in as full & ample manner & forme as any other of our Survey^{rs} Generall ever had held or enjoyed the same To have & to hold enjoy & exercise the aforesaid Office by himselfe or his sufficient Deputy or Deputyes with all things thereunto belonging dureing our pleasure Comanding also & by these p^{r}sents firmly enjoyning all & singuler our Sheriffes and other Officers & Ministers & all other people within our said Province of Maryland that they be assisting & aideing unto him the said Vincent Lowe & his Deputy or Deputyes in the Execucon of the aforesaid Office from tyme to tyme as occasion shall require & becometh them to doe Given under our hand & great Seale of our said Province of Maryland the twenty seventh day of March in the fourth yeare of our Dominion over our said Province Annoq Dom. 1679. p. 167

Lib. R. p. 88 At a Councell held at the City of S[t] Maries the Eight and Twentieth Day of March 1679:

P[r]sent
The R[tt] Hon[ble] the Lord Prop[ry]
The Hon[ble] { Philip Calvert Esq[r] Chancelo[r]
William Calvert Esq[r] Secry

The Present Clk: of the Councell being at Manahowickes Neck in Wiccocomico River Thomas Grunwin was sent for to Officiate in the s[d] Clks: absence and accordingly sworne.

Coll: Vincent Lowe being sent for to attend the Board, the Lord Prop[ry] desired the said Lowe to take the Oath of Chancello[r] w[ch] he accordingly Did and tooke his place at the board.

After which was read a Commission for the Peace for the severall Countys of this Province, and the same being approoved off by the Board It was Ordered that (in regard the said Commiss[o] ought to have been published the 8[th] Day of this p[r]sent March) it should beare Date that same Day, and then passe und[r] the greate Seale of this Province, least the Justices for the severall Countyes should by mistake imagine the aboves[d] Commiss[r] was Determined.

A Petic$\bar{o}$n of Garrett Vansweeringens was then read, but the Debate thereof referred untill the next Councell Day.

At a Councell held at Manahowickes Neck in Wiccocomico River the Eight and Twentieth Day of Aprill in the ffourth yeare of the Dominion of the R[tt] Hon[ble] Charles &c[a] over this Province Annoq Dmi. 1679

The Lord Prop[ry] Chancelo[r]
Secry
Coll. Rozer
} P[r]sent

Where Cap[t] ffrancis Partis Comand[r] of the Shipp M[r]chants Consent of Lond: being summoned to give in his Evidence concerning some scandalous speeches that had been uttered by Cap[t] Josias ffendall of Charles County, himself, and others touching his L[spp]:) was Examined upon Oath and Deposed as foll: viz.

That about the Latter End of the moneth of ffebruary last he this Depon[t] together with M[r] William Barrett being at the house of Cap[t] Josias ffendall in Charles County he this Deponent heard the said ffendall say that he had been much troubled and had greatly suffered in his Estate that now (he hoped) the time was comeing that he might have an oportunity to right himself then they fell into discourse concerning

the late report of the troubles in England. And the said Lib. R.
ffendall enquired of this Deponent concerning a ffriggat that was to be sent from England hither and this Deponent replyed that he heard such a report upon his comeing away from England that there lay a friggat ready but did not heare that she was yett arrived here, that the intent of her comeing was for the Lord Baltemore, To w^ch^ the said ffendall made answer what need had they to send a ffriggat hither for (if it be true as is reported of the troubles in England) I will engage (if they will send but two or three words to me) to send him home myself, and soe they may save that charge.

The said Partis was then required to make his further appeareance at the Councell board to-morrow morning nine a Clock according to the foll. precept viz.

Maryland ss.

You are hereby strictly charged and Commanded all excuses sett apart to be and psonally appeare before his L^spp^: the Lord Prop^ry^ and his Councell at Manahowickes Neck to morrow morning by nine of the Clock precisely to answer unto such matters & things as shall be then and there proposed to you on behalf of his said L^spp^: the Lord Prop^ry^ whereof y^u^ are not to faile as y^u^ will answer the Contrary at yo^r^ perill Dated the eighth Day of Aprill — Anno 1679

Signed p ord^r^

To Cap^t^ ffrancis Partis Comand^r^ J Ll. Cl: Consil.
of the Shipp M^r^chants Consent.

This.

Cap^t^ John Harris Command^r^ of the Shipp Dover of Lond: p. 81
being also at the same time upon oath Examined Did Depose.

That he heard Cap^t^ Josias ffendall some time about the moneth of ffeb^ry^ last aboard his this Deponents said Shipp the Dover say he had been a great Sufferer by the Chancelo^r^ that if times turned he would right himself or words to that purpose, and that if he were elected again he would sitt.

Aprill the 29^th^ 1679:

His L^spp^: the Lord Prop^ry^ and his Councell again mett as yesterday.

Cap^t^ ffrancis Partis also according to the precept to him Directed yesterday makes his appeareance, and upon Oath further Examined, Again Deposed viz.

That about the Latter End of ffebruary last he being at the house of Cap^t^ Josias ffendall in Charles County there dis-

Lib. R. courseing concerning the troubles in England. The said ffendall asked this Deponent whither it was true that a man of Warr was comeing in for the Lord Baltemore to w^ch^ this Deponent replyed that it was soe reported, and that there were two ffriggatts ready but were not yett come, the said ffendall again said what need they send any men of warr for this Countrey, for if they will but send two or three Lines to me I engage to secure my Lord Baltemore and send him home saveing that charge, for further said the s^d^ ffendall I Durst engage with thirty or ffourty men to Doe it, And that two or three Daies before he had been over with the Governo^r^ with whom he had had a greate Deale of Discourse, and amongst the rest were talkeing of the business of poysoning the people at S^t^ Maries, and that he the said ffendall told the Governo^r^ that he beleived it was a thing acted and Designed by the Papists against his Hono^r^ and that he would write home to England concerning the same; And the s^d^ ffendall further said that he had suffered much heretofore, but now he hoped the time was comeing that he might right himself. And further this Depon^t^ saith not.

Jurat. Ap^ll^ 29: 1679: ffrancis Partis.

Summons also issued forth to Cap^t^ John Harris requireing him to make his appearance also this Day in the words foll. viz.

Maryland ss:

You are hereby strictly charged & Com̄anded forthwith upon sight hereof to make yo^r^ ꝑsonall appeareance before his L^spp:^ the right Hon^ble^ the Lord Prop^ry^ and his Councell at
p. 82 Manahowickes Neck to answer unto such matters and things as shall be there on behalf of his said L^spp:^ propounded unto you, whereof faile not as you will answer the contrary at yo^r^ perill Dated the 29^th^ Day of Aprill 1679:

To Cap^t^ John Harris Com̄d^r^ of the Shipp Dover. Signed ꝑ Ord^r^ JL. Cl. Consil.

These.

Joshua Doyne of the County of S^t^ Maries being also required to give in his Evidence upon Oath Examined Deposed.

That sometime in the yeare 1677: he being at Cap^t^ ffendalls house and there sitting by the fire side, the said ffendall entered into a discourse concerning Coll. Jesse Wharton saying that he had been very unkindly Dealt with by him, that he had been kept und^r^ by the Lord Baltemore, the Chancelo^r^ and the said Wharton, and that he did veryly beleive if said

Wharton had lived longer he the said ffendall should have risen ag^t him, but that now the fforegoeing Discourse (being delivered by him the said ffendall in like manner before M^r Rozer at M^r Notleys house) had scared him the s^d Wharton out of his life. Lib. R.

Joshua Doyne.

Warrant then issued from und^r the hand of the Hon^ble W^m Calvert Esq^r requireing Cap^t Josias ffendall to make his appeareance here this Day in the words foll. viz.

Maryland ss:

Whereas Information hath been made that Cap^t Josias ffendall of Charles County within this Province hath uttered Divers false malitious and scandalous reports touching his L^spp: the R^tt Hon^ble the Lord Prop^ry of this Province. These are therefore to will and require as also strictly to charge and Comand you the said Josias ffendall all excuses sett apart to be and psonally appeare before his said L^spp: and his Councell at Manahowicks Neck forthwith upon sight hereof to answer unto such matters and things as shall be then and there objected against you in behalf of his said L^spp, Whereof you are not to faile as you will answer the Contrary at yo^r perill. Given und^r my hand this nine and Twentieth Day of Aprill Anno 1679.

Will. Calvert

Ralph Smith p whom the abovesaid warrant was sent being returned back again without executeing the same by reason the said ffendall was not to be found the following ord^r of Councell was Directed to Cap^t Gerrard Slye viz.

Maryld ss: p. 83

Whereas this Day warrant issued from und^r the hand of the Hon^ble William Calvert Esq^r to summon Cap^t Josias ffendall of Charles County to be and psonally appeare before his L^spp: the Lord Prop^ry & his Councell at Manahowickes Neck this Day to answer unto such matters & thinges as should then and there be objected against him on behalf of his said L^spp w^ch said Warrant was sent by Ralph Smith to be served in manner aforesaid, And fforasmuch as the said Ralph Smith Did returne again w^thout executeing the same by reason the said ffendall was not to be found. And his said L^spp and his Councell haveing just cause (both by the information of the said Smith, and for severall other reasons) to suspect that the said ffendal (conscious to himself of the matters alleadged against him) doth willfully abscond himself. These are there-

Lib. R. fore to will & require y^u^ Cap^t^ Gerrard Slye, and such others as you shall think fitt to take with you for yo^r^ necessary aid and assistance to goe forthwith to the house of the said ffendall, and him there or else where in the said County where he shall be found forthw^th^ to apprehend and cause to be brought before his s^d^ L^spp^: and his Councell at Manahowickes Neck this Day. Hereby willing and requireing all and singular the Inhabitants of this Province, and others tradeing or resideing here to be aideing and Assisting to you to the utmost of their powers in the Due Execution of this precept, Whereof neither y^u^ nor they are to faile as yee will answer the contrary at yo^r^ perill Dated the 29^th^ Day of Ap^ll^ A° 1679:

To Cap^t^ Gerrard Slye High Sher. of S^t^ Maries County
These

Signed p ord^r^
J Ll. Cl: Consil:

Cap^t^ John Harris According to summons makes his appeareance and being again sworne and Examined Deposed as foll: viz

That he heard Cap^t^ Josias ffendall say that he had been a greate Sufferer by the Chancelo^r^ that he had been much abused & held Downe a long time, that now the time was come and he would right himself for that the times were now Difficult and troublesome, and he should find Disaffected psons enough at the Cliffes & the Eastern Shore that would stand by him, and upon some other Discourse that they had concerning ffriggatts that were comeing in for the Lord Baltemore s^d^ ffendall replied what need that, if he had but two or three lines out of England he would secure him & send him home without the charge of ffriggatts, all w^ch^ the s^d^ ffendall publickly uttered saying he cared not who heard him.

p Jn° Harris

p. 84 Cap^t^ Gerrard Slye being returned without executeing the p^r^cept to him Directed the said ffendall upon Diligent search and inquisition made not being to be found, His L^spp^ and the Councell consider & consult what further course to be taken for the Discovery and apprehension of the said ffendall and it was advised and resolved that Cap^ta^ Humphrey Warren of Charles County be Empowered and Commanded to make Diligent search after the said ffendall throughout the said County and to apprehend him wheresoever he shall be found, requireing all officers civill and Military within this Province & others the Inhabitants thereof to be aideing and assisting therein, and phibiting any of the said Inhabitants to entertaine

or harbour the said ffendall at their perill According to the foll: Ordr of Councell viz, Lib. R.

By the Lord Propry & Councell.

Maryland ss:

Whereas Capt Josias ffendall of Charles County hath lately and publickly uttered Divers false & malitious scandalous Reports agt his Lspp: the Rtt Honble the Lord Propry of this Province, and hath also uttered severall threats and Menaces, mutinous & seditious speeches tending greately to the Disturbance of the peace and quiett of the said Province as hath been sufficiently made appeare by the Oathes of severall psons undr their hands ready to be produced and remaineing upon Record in the Councell Booke, And whereas the said ffendall hath refused to appeare before his Lspp: and Councell to answer the premisses, though thereunto by two severall Ordrs of Councell strictly charged and Commanded, and hath thereupon absented himself and Departed from his vsuall habitation or place of Abode, presumptuously giveing out and reporting that he will not be taken or apprehended. These are therefore to will and require as also strictly to Charge & Comand yu Capt Humphry Warren, of Charles County aforesaid (with such and soe many persons as you shall think fitt to take with you for yor necessary aid and Assistance) to make all Diligent search for the said ffendall throughout all the parts of yor said County, And him (wheresoever he shall be found) forthwith to apprehend and Safely to convey to his sd Lspp: or some of his Councell, To the End that he may receive his Due tryall and condigne punishmt for and Concerning the premisses. And you are likewise hereby strictly charged and Comanded to give Due notice to all the Inhabitants of yor said County hereof, Willing & requireing them not to harbor or entertain the said ffendall in their or either of their house or houses plantations or other Tenemts whatsoever at their p. 85 perill but that they vse the utmost of their skill power and endeavor to apprehend the said ffendall wheresoever he shall be found, And all and Singular his Lspps: Officers civill and military within yor said County and others the Inhabitants thereof, or tradeing passeing or resideing there are hereby strictly charged & Comanded to aid and assist you the sd Capt Warren to the utmost of their skill power and endeavor to apprehend the said ffendall by such waies and meanes as you in yor Discretion shall Deeme fitt and convenient to ordr and Direct for yor speedier & better executeing of this Precept, and him soe apprehended safely to convey or cause to be conveyed to his sd Lspp: or some of his Councell as aforesaid. Whereof neither you nor they are to faile as yee will answer

Lib. R. the contrary at yo^r perill. Dated at Manahowickes Neck in Wiccocomico River the 29^th Day of Aprill in the fourth yeare of his said L^spps: Dominion &c^a over this Province Annoq Dmi. 1679. Signed p ord^r

To Cap^t Humphry Warren J Ll. Cl. Consil.
of Charles County,
These.

M^r Henry Brent of Stafford County in the Collony of Virginia haveing taken his Oath upon the holy Evangelist of Almighty God Deposeth as foll: viz.

That About the Eleaventh Day of March last to the best of his remembrance being at the house of Collonell George Mason in the County & Collony afores^d (being also there present the said Coll. George Mason Cap^t Edward Blagg, M^r Edward Thomson M^r Isaac Mason & Capt. William Nickley Com̄and^r of the Shipp ffrancis and Mary of Bristoll) He this Deponent heard the said Nicklas then & there say that my Lord Baltemore was a Traytour, and that he the s^d Nicklas heard him soe proclaimed at the Toalse of Bristoll, that severall Ma^rs of Shipps, did report they would not cleare with my Lord Baltemore but would goe & pay their Dutyes in England because they would not pay money they said to any Trayto^r whereupon Cap^t Edward Blagg asked the said Nicklas what he intended whither he would cleare or not To w^ch the s^d Nicklas with a nod of his head & cast of his hands Did seeme to Intimate that he would not, But the said Blagg replied again that he had entred with his L^spps. power and would by the grace of God cleare with the same, The s^d Nicklas then tooke a Cupp & begann a health to the Duke of Monmouth as Prop^ry of this Countrey, saying th^t my Lord Baltemore as a trayto^r haveing fforfetted his Countrey none more fitt to be Prop^ry then the Duke of Monmouth, & further this Depon^t saith not.

Henry Brent

Jurat. 12: Die Maij. 1679
coram Benj^a Rozer.

p. 86 At a Councell held at the Chancelo^rs House at S^t Peters the 5^th Day of June in the 4^th yeare of the Dominion of the R^tt Hon^ble Charles &c^a Annoq Dmi: 1679:

The Hon^ble { The R^tt Hon^ble the Lord Prop^ry; Philip Calvert Esq^r Chancelo^r; Coll: Benj^a Rozer; Coll: Vincent Lowe Survey^r Gen^ll; L^tt Coll: Henry Darnall. } P^rsent

His L^spp: haveing recd. Intelligence from Coll: George

Wells of Baltemore County that severall Indians had been lately seene lurking about the Plantations in the said County w^ch^ hath created such feares & jealousies in the Inhabitants that it is to be feared they will (if not speedily supplyed with some assistance from other parts) Desert their Plantations. Lib. R.

Was proposed by his L^spp^ to the Councell what course to take to prevent the same and to secure the Inhabitants from any attempts that may be made upon them by the Indians. It was Advised and Concluded on that Coll William Burges of Anne Arrundell County be ordered to Supply that County with twenty men forthwith to be sent us for the Defence of the Inhabitants there if Coll: George Wells and Cap^t^ John Stanerby with the Advice and approbation of the Commissioners of that County shall Desire it and the necessity of the County may require it. And accordingly Ord^r^ issued forth in the words foll: viz.

By the Lord Prop^ry^ and Councell.

Ordered that Coll: William Burges of Anne Arrundell County forthwith Supply the Inhabitants of Baltemore County with a ꝑty of twenty men to be Drawne out of the s^d^ County of Anne Arrundell for the Defence of the said County of Baltemore provided Coll: George Wells and Cap^t^ John Stanerby of the same County or either of them with the Advice and consent of the Com^rs^ of that County shall signifie to the said Coll: Burges that such supply is necessary, and the condition of the County may require it for its Defence and security, or otherwise at any time, hereafter upon such notice given to the said Coll: Burges by the said Wells and Stanerby as aforesaid The said Burges is to Supply the said County with such a number of men as aforesaid. Dated the 5^th^ Day of June in the fourth yeare of the Dominion of the R^tt^ Hon^ble^ Charles &c^a^ over this Province Annoq Dmi 1679:

Signed ꝑ ord^r^

J Llewellin Cl: Consil:

The Pascattoway Indians haveing lately sollicited the Choptico Indians for a ꝑty of twenty men to assist them in Conducting back an Annacostin Indian that lately came from the Sinnequos (the same importing greatly (as they say) both themselves and the English und^r^ this Governm^t^) And the said p. 87
Choptico Indians not consenting und^r^ pretence that they have not leave from his L^spp^ so to Doe, and therefore know not how the same may be approoved of by the English; W^ch^ being considered by the Councell they Doe advise and it was Concluded that notice be given to the said Choptico Indians as also to the Mattowoman and Nanjemy Indians that it is his

Lib. R. L^spps pleasure that those three nations provide thirty men (to say) Choptico twenty, Mattawon Seaven and Nanjemy three, forthwith to be sent to Pascattoway from thence to conduct the said Annacostin Indian according to the Request of the said Pascattoways, and that John Shankes of S^t Maries County be Commanded to Signifie to the Choptico Indians this his L^spps: will and pleasure, and that James Smallwood Doe the same to the Mattawoman & Nanjemy Indians, who is also to acquaint the Pascattoway Indians with this result of his L^spp and his Councell to their request.

Two severall ord^rs of Councell were accordingly Directed to the said John Shanke and James Smallwood as foll: viz.

By the Lord Prop^ry and Councell.

Ordered that the Choptico Indians Supply the Pascattoway Indians w^th Twenty men to help conduct back to the Sinnequas an Annacostin Indian lately come from thence (the same greatly importing both the English and Indian und^r this Governm^t And that John Shankes of St. Maries County forthwith upon receipt hereof give notice to the King and greate men of Choptico that this is his L^spps: will and pleasure Desireing them to comply therewith upon Demand thereof made by the said Pascattoway Indians Dated the 5^th Day of June in the fourth yeare of the Dominion of the R^tt Hon^ble Charles &c^a Annoq Dmi: 1679: Signed ꝑ ord^r

JLl. Cl. Consil.

By the Lord Prop^ry and Councell

Ordered that the Mattawoman Indians ffurnish the Pascattoway Indians with Seaven Men and the Nanjemy Indians with three in ord^r to the conducting back to the Sinnequos an Annacostin Indian lately come from thence, (the same greately importing both the English and Indians und^r this Governm^t) And that James Smallwood of Charles County upon receipt hereof forthwith make the King & greate men of Mattawoman and Nanjemy acquainted with this his L^spps: will and pleasure, and also to advise the Pascattoway Indians thereof, and that his L^spp and Councell have given the like ord^rs to the Choptico Indians for a further Supply of twenty men, according to their request. Dated the 5^th Day of June in the fourth yeare of the Dominion of the R^tt Hon^ble Charles &c. Annoq Dmi 1679.

Signed ꝑ ord^r J. Ll. Cl. Consil:

p. 88 W^ch said Ord^rs the Sheriff of S^t Maries County was Commanded to send forward according to the foll: precept viz.

By the Lord Propry and Councell. Lib. R.

Ordered that the Sheriff of St Maries County forthwith send an express to John Shankes of the same County with an ordr of Councell relateing to the Choptico Indians herewith given him and that the same Messenger also after Delivery thereof immediately goe to James Smallwood of Charles County & Deliver unto him another ordr of Councell relateing to the Mattawoman and Nanjemy Indians with all expedition possible, And for the more speedy & better effecting thereof the said Sher. of St Maries County is hereby empowered to press man and Horse for that purpose. Dated the 5th Day of June in the fourth yeare of the Dominion of the Rtt Honble Charles &ca Annoq Dmi. 1679:

Signed p ordr
J Ll. Cl Consil.

June 4th 1679. Then was Lievt Colonell Henry Darnall sworne one of his Lordpps privy Councell. Lib. R. R. p. 168

Capt John Stansby } Gentl of the Quorum p. 176
Henry Haslewood }

Miles Gibson
Edwd Beadle
Anthº Demondadeer } Gentl Justices
Jnº Boring

Dedimus potestatem to Col George Wellband or Mellsand Major Thomas Long.

June 5th 1679

Then was Col Vincent Lowe Esqr sworne one of his Lordshipps privy Councell.

June 6th 1679

Comission for the Peace & Comission for tryall of causes in Ann Arundell County then issued to

Col Thomas Taillor
Col Wm Burges
Capt John Welsh
Nathl Heathcoate } Gentl of the Quorum
Capt Richard Hill
Tho: ffrancis

Capt Nich: Gassoway
Edwd Burges
Cornels Howard
John Sollers } Gentl Justices
Henry Ridgely
Edwd Dorsey
Richard Beard junr

Lib. R. R. Dedimus potestatem then issued to Col Thomas Taillor & Col Wᵐ Burges.

June the 6ᵗʰ 1679
Comission for the Peace & Comission for tryall of causes in Baltemore County then issued to

Col George Wells
Major Tho: Long
Capᵗ Jnº Waterton
} Gentl of the Quorum

June 7ᵗʰ 1679
Comission for the Peace & Comission for tryall of causes in Talbot County then issued to

Col Vincent Lowe
Col. Hen: Coursey
Richᵈ Woolman
Major Wᵐ Coursey
Col Philemon Loyd
Edwᵈ Man
} Gentl of the Quorum

Capᵗ Peter Sayer
Wᵐ Bishopp
Capᵗ Geo: Cowley
Anthº Magle
James Murphy
} Gentl Justices

p. 177 Walter Dickison
Tho: Robins
Wᵐ Combes
} Gentl Justices

Dedimus potestatem then issued to Col Vincent Lowe & Col Henry Coursey.

June 7ᵗʰ 1679
Comission for the peace & Comission for tryall of causes in Dorchister County then issued to

Wᵐ Stevens
Raymᵈ Stapelfort
Capᵗ Tho: Taillor
Jnº Brooke
Wᵐ Dorrington
} Gentl of the Quorum.

Barthº Ennalls
John Pollard
Cha: Hutchins
Hen: Hooper
John Alford
} Gentl Justices

Dedimus potestatem then issued to W^m^ Stevens & Raymond Stapelfort Lib. R. R.

June 7^th^ 1679

Comission for the peace & Comission for tryall of causes in Cecil County then issued to

Augustine Herman
Cap^t^ Jon^n^ Sibrey
Cap^t^ Joseph Hopkins } Gentl of the Quorum
James Stavely
Edw^d^ Inglish

James ffrisby
Nath^l^ Garret
W^m^ Peirce } Gentl Justices
Philip Holeager
John James

Dedimus potestatem then issued to Augustine Herman & Cap^t^ Jon^a^ Sibrey

[Licence to Robert Ridgely.]

Maryland ss. By the right Hon^ble^ the Lord Prop^ry
C Baltemore

locus sigilli These are to Lycence Robert Ridgely of S^t^ Maryes County att his plantacon att Wiccocomico river in Som^r^sett County to trade with any Indian or Indians whatsoever for any Corne Skins or other Comodities not prohibitted by Act of Assembly And further to give the said Robert liberty of keeping an Indian or Indians to hunt for him upon his said Plantacon in Som^r^sett County aforesaid And for so doeing this shall be his sufficient warrant Given under my hand & Seale att Armes this twelfth day of July in the fourth yeare of our Dominion over our said Province of Maryland And in the yeare of our Lord God 1679.

To all persons whom this shall
or may concerne.

August 2^d^ 1679

Comission for the peace & Comission for tryall of causes in S^t^ Maryes County then issued to

Cap^t^ John Coode
Cap^t^ Gerard Slye } Gentl of the Quorum
W^m^ Hatton
Richard Lloyd

p. 178

Lib. R. R.

Jos. Pile
Joshua Doyne
Clem[t] Hill
James Bowling
Rich[d] Gardner
Geo: Thompson
W[m] Boarman jun[r]
Tho: Mudd
John Dent
} Gentl Justices

Dedimus potestatem then issued to Cap[t] John Coode & Cap[t] Gerard Slye

p. 169 By Vertue of a Warrant to me directed by the Right Hono[ble] the Lord Proprietary bearing date the twelfth Instant I doe hereby order you to Issue proclamac̄ons for the Prorogueing the Assembly to the thirteenth day of Aprill next Which shall bee in the Yeare One thousand six hundred and eighty Lett them bee drawne in due forme in Parchment and directed to the seaverall and respective Sheriffes of the seav[ll] Countyes of this Province and brought to the seale w[th] all Convenient Speed, and for soe doing this shall bee your Warrant Philip Calvert Canc.
To the Hono[ble] W[m] Calvert Esq.
principall Secr[y] of this Province of Maryland

[Commission to Justices.]

Charles absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltemore &c. To our Trusty and well beloved John Coade Gerrard Slye William Hatton Richard Lloyd Joseph Pile Joshua Doyne Clement Hill James Bowling Richard Gardner George Thompson William Boreman Jun[r] Tho: Mudd and John Dent Gent, Know yee that wee have assigned you and every one of you Joyntly and seaverally Justices to Keep the Peace in the County of Saint Maries, and to Keepe and Cause to be kept all ordinances Statutes and Acts of Assembly made for the good of the peace and Conservac̄on of the same and for the
p. 171 Quiett Rule and Governm[t] of the people in all and every the Articles thereof in the said County According to the force forme and effect of the same, and to Chastise and punish all persons offending against the forme of those Ordinances, Statutes Acts or any of them, in the County aforesaid, as according to the forme of those ordinances statutes and Acts shall be fitt to bee done And to cause to come before you or any of you all those persons Who shall threaten any people in

theire persons or in burning theire houses or ffences To Lib. R. R.
ffinde Sufficient Suretyes for the peace or for theire good behaviour towards us and the people And if they shall refuse to find such security then to cause them to bee kept safe in prison untill they shall find such security Wee have also assigned you and every foure or more of you Whereof any of you the said John Coode Gerrard Sly William Hatton and Richard Lloyd shall be one to enquire by the Oath of good and Lawfull men of the County aforesaid by whome the Truth may the better be Known, of all and all manner of ffellonyes Witchcrafts Inchantments Sorcerys Magick Art Trespasses forestallings Regrateings Ingroseings and Extorcōns Whatsoever and of all and singular other misdeeds and Offences, of which Justices of the peace may or ought Lawfully to enquire by Whomesoever or howsoever done or perpetrated or Which hereafter shall happen howsoever to bee done and attempted in the County aforesaid and of all those who in the County aforesaid have either gone or ridden or hereafter shall presume to goe or Ride in Companyes wth Armed fforce to the disturbance of the people And also of all those Who in like manner have Layne in Wayte or hereafter shall presume to Lye in Waite to Mayme or Kill the people, And also of Inne holders and of all and singular other persons Who have offended or attempted or hereafter shall presume to offend or attempt in the abuse of Weights or Measures or in the Sale of Victualls or Liquors against the fforme of the Lawes or any of them in that behalfe made for the p. 172
Common good of this Province and the people thereof in the County aforesaid And also of all Sheriffes Bayliffes Stewards Constables Goalers and other officers Whatsoever who in the Execucōn of theire Offices about the premisses or any of them have Vnlawfully demeaned themselves or hereafter shall presume vnlawfully to demeane themselves or have been or hereafter shall bee carelesse remisse or negligent in the County aforesaid and of all and singular articles and Circumstances, and all other things Whatsoever by whomsoever & howsoever done or perpetrated in the County aforesd or w^{ch} hereafter shall happen howsoever to bee done or attempted, in any wise more fully Concerning the truth of the premisses or any of them & to inspect all Indictments whatsoever soe before you or any of you taken or to bee taken or made or Taken before others Late Justices of the peace in the County aforesaid, & not as yet determined & to make & Continue the processe thereupon, against all and singular persons so Indicted or which hereafter shall happen to bee indicted before you untill they bee apprehended or render themselves. And to heare and determine such and soe many of the

Lib. R. R. offences aforesaid as by the Lawes used in this our Province extending not to the Losse of life or member, And to Chastise and punish the said persons offending in Lesser Crimes and every of them for theire offences by ffynes Ransomes Amerciaments fforfeitures or otherwise as ought and hath been used to bee done according to the Lawes and Customes of this Province or the fforme of the Lawes Ordinances Statutes and acts afores[d] Provided alwaies that in Cases w[ch] are punish[bl] w[th] Losse of life or Member or Wherein any difficulty doth arise upon the Determinac$\bar{o}$n of the p[r]misses before you or any foure or more of you as aforesaid Then you
p. 173 nor any foure or more of you doe proceed to give Judgement therein but that in every such Case you send the prissoners with theire Indictment, & the Whole matter depending before you to the next Provinciall Court to bee holden for our said province Whensoever and Wheresoever to bee holden there to bee Tryed, And therefore Wee comand you that you dilligently intend the Keeping of the peace ordinances Lawes and Acts and all and singular other the premisses and at Certaine dayes by Act of Assembly appointed and in such places as you or any foure or more of you as aforesaid shall in that behalfe appoint you make enquiry upon the premisses and performe and fulfill the same in forme aforesaid doeing therein that w[ch] to Justice apperteyneth according to the Lawes orders and reasonable Customes of our said Province saveing to us the amerciaments and other things thereof to vs belonging And therefore Wee Comand the Sheriffe of the County of Saint Maries by vertue of these presents that at the dayes and places aforesaid Which you or any such foure or more of you as aforesaid shall make knowne to him to give his attendance on you, & if need require, to cause to come before you or any such foure or more of you as aforesaid such and soe many good and Lawfull men of your County by whom the Truth in the premisses may the better be known and enquired of and therefore you shall Cause to be brought before you at the said dayes and places the Writts precepts processes & Indictm[ts] aforesaid That the same may bee Inspected & by a due Course determined as aforesaid, And Wee doe hereby Revoke all former Com̄issions for the peace to our said County Granted, And Lastly Wee doe hereby declare that each and every of our Councell are Jus-
p. 174 tices of the peace and are hereby Constituted and appointed to sitt as Justices of the peace as well in this our County of Saint Maryes as in all other Countyes of this our Province In Witness Whereof wee have Caused the Greate Seale of our said Province of Maryland to these presents to be affixed this second day of August in the fourth yeare of our Dominion

over our said Province Annoq Domi One thousand six hun- Lib. R. R.
dred Seaventy Nine.

[Prorogation of Assembly.]

By the Lord Prop^ry^ A Proclamac̄on

Whereas for seaverall Weighty and Urgent Occasions and affaires relateing to our Self and the state and defence of this our Province Wee did hold a Generall Assembly att the Citty of S^t^ Maries the ffifteenth day of May in the ffirst yeare of our Dominion &c. Annoq Domini One thousand six hundred seaventy six Which ffor divers Consideracōns us thereunto moveing Wee did by seaverall prorogacōns Continue and Prorogue the same untill the Twentieth day of October Last past which said Assembly the ffifteenth day of Novemb^r^ then next ffollowing Wee did prorogue untill the second Tuesday in May then next ffollowing Which upon the ffourteenth day of March Last past wee did prorogue untill the Last Tuesday in September next ensueing. Which said Last Tuesday in September on which the said Generall Assembly should sitt being now neere at hand and noe Urgent Occasions or affaires relateing to the State or welfaire of this our province appearing for the Convening and sitting of our said Generall Assembly on the said Last Tuesday in September next ensueinge Wee have by and with the advice and Consent of o^r^ Councell determined and ordained, And Wee doe hereby fully resolve determine and ordaine That the said Generall Assembly be Prorogued untill the thirteenth day of Aprill which shall bee in the Yeare of our Lord God One thousand Six hundred and eighty And wee doe hereby Will and require as also strictly p. 170
charge and comand all and singular the Sheriffes of this our Province fforthwith upon receipt hereof to make Proclamacōn hereof in the most Convenient places w^th^ theire respective Countyes And to give notice to all and Singular the Delegates & Deputies by the ffreemen of theire County alreadie elected or for that purpose to bee elected that (all excuses sett apart) They and every of the said Delegates come and personally appeare at the said Citty of Saint Maries On the said thirteenth day of Aprill which shall bee in the yeare of our Lord God One thousand six hundred and eighty, To doe and Consent to those things w^ch^ then and there by the favour of God shall happen to bee ordained by vs by and w^th^ the advice and Consent of our great Councell of this our Province concerning the state and welfare of this our Province, As also to give notice to such of our Councell as Inhabitt w^th^in theire respective Countyes, that all excuses sett apart they also bee and appeare at the day and place aforesaid, To the end and pur-

Lib. R. R. pose aforesaid Given at our Citty of Saint Maryes under the greate seale of our said Province of Maryland The sixteenth day of August in the fourth yeare of our Dominion &c Annoq Domi One thousand six hundred seaventy nine.

Lib. R. p. 89 At a Councell held at S[t] Peters the 2[d] Day of September in the ffourth yeare of the Dominion of the R[tt] Hon[ble] Charles &c[a] over this Province Annoq Dmi 1679

The R[tt] Hon[ble] the Lord Prop[ry]
The Hon[ble] { Philip Calvert Esq[r] Chancelo[r] } P[r]sent
Coll: Vincent Lowe Survey Gen[ll]
L[tt] Coll. Henry Darnall

His L[spp] did then Acquaint his Councell that Tequassino and Hatsawapp Indian Kings at Choptank had lately been over to Sollicite his L[spp]: to ꝑhibitt the English Inhabitants neere to them adjoineing for selling any strong Drink to any of the Indians Subject to either of them, Whereupon it was Advised and Concluded that an Ord[r] should be drawne up to that purpose and directed to the Sheriff of Talbott and Dorchester Counties respectively being the two adjoineing Counties to the said Indians, W[ch] s[d] Ord[r] was as foll. viz.

By the Lord Prop[ry] & Councell.

Whereas Tequassino and Hatsawap Indian Kings at Choptank und[r] the Empero[r] of Nanticoque have sollicited his L[spp] the Lord Prop[ry] of this Province that the English Inhabitants of Talbott and Dorchester Counties next to them adjoineing may be prohibited to sell any strong Drink to any of the Indians, Subject to either of them.

Ordered that the said Inhabitants be and they are hereby Strictly Charged and commanded not to sell or otherwise dispose of any strong Drink to any of the said Indians as they will answer the contrary at their perill, and that due notice hereof be given them by the Sheriffes of their s[d] Respective Counties. Signed ꝑ ord[r]

JLl. Cl: Consil.

October 7[th] 1679

Then was Col. William Stevens Esq[r] sworne one of his Lordshipps privy Councell.

p. 90 At a Councell held at S[t] Peters the 8[th] Day of October in the fourth yeare of the Dominion of the R[tt] Hon[ble] Charles &c[a] over this Province Annoq Domini 1679:

The Hon^ble { The R^tt Hon^ble the Lord Prop^ry; Philip Calvert Esq^r Chancelo^r; Will^m Calvert Esq^r Secry; Coll: Vincent Lowe Survey: Gen^ll; Coll: William Stevens } Present

Lib. R.

At w^ch time was presented to the Councell Board by M^r Robert Doyne of Charles County an Inquisition taken upon a tract of Land called Rotterdam in the said County purchased and holden of his L^spp by the said Doyne. The said Doyne represents to his L^spp and Councill that John Cane one of the Jurors to the said Inquest, though he had first consented to the rest of the Juro^rs as to their Verdict, yett afterwards (when the same came to be signed and sealed) out of a vaine Self willed humor obstinately refused to signe and seale the same, soe that it was returned onely und^r the hands and Seales of Eleaven of the said Juro^rs

Whereupon

Ordered that a writt of Melius Inquirendū: issue forth of the Secrys Office for a new Jury to goe upon the Same, and the following ord^r Directed to the Secry for that purpose viz.

Whereas Mandamus lately issued forth of y^r Office to the Sheriff of Charles County to make inquisition by a Jury of the Neighbourhood unto the true bounds of a tract of Land called Rotterdam held of his L^spp: by M^r Robert Doyne in the said County, Which said Inquisition was accordingly taken and returne thereof made und^r the hands and Seales of the said Sheriff and Eleaven of the Juro^rs John Cane onely one of the Juro^rs Dissenting and out of a vaine humo^r obstinately refuseing to Signe and Seale the same, notwithstanding he had at first consented to the verdict of the said Jury.

Ordered therefore that a writt of Melius Inquirendū to the s^d Sheriff issue forth of y^r office for a new Jury to goe upon the same. Signed p ord^r

To the Hon^ble William Calvert Esq^r JLl. Cl Consil.

Secry of this Province.

Att the same time John King of Somersett County in behalf of himself and others preferred this following Peticōn viz. p. 91

To the R^tt Hon^ble the Lord Baltemore Lord Prop^ry of the Province of Maryland &c^a

The humble Peticōn of John King of Somersett County who as well in behalf of himself as also of severall other the good people of the said County

humbly sheweth to y^r L^spp:

Lib. R. That for the space of neere twenty yeares last past Randall Revell of Somersett County haveing obteined a grant for 3000 Acres of Land and by the Artifice of Coll Scarborough his then Partner in the said Land hath in the Survey then made mentioned the naturall bounds of a Neck of Land wherein is presumed to be 10: or 12000 Acres of Land, by reason of w^ch^ uncertaine bounds and the large pretended Title of the said Randall and his false Clamo^rs^ severall of yo^r^ L^spps^: good of this Province have been Defeated of severall settlem^ts^ much to the Diminution of yo^r^ L^spps^: Rents. And yo^r^ L^spps^ Peticōner with severall others prepareing to Peticōn yo^r^ L^spp^: for a warrant of Resurvey to lay out the said Revells 3000 Acres in hopes they might have leave to Pattent the remainder according to the vsuall forme and Custome of yo^r^ L^spps^: Province, And the said Randall haveing notice given him of the faire intentions of yo^r^ L^spps^: Peticōners, The said Randall hath besought yo^r^ L^spp^: for an ord^r^ to lay out the said Land to his owne vse but never hath ꝑsecuted the same according to the Intention thereof but delayes the same, thereby further defrauding yo^r^ L^spp^: of yo^r^ Rents, and Deterring yo^r^ L^spps^ people from Inhabiting the same.

Yo^r^ L^spps^: Peticōner does most humbly pray that yo^r^ L^spp^: will please to command y^r^ Secry: to grant yo^r^ Pet^rs^ a warr^t^ to lay out the said Revells 3000 Acres and that he may have leave (makeing good rights accordingly) to take up the vacant Land and that he may have leave to Pattent the same in his owne Name und^r^ the vsuall Rents and Services of yo^r^ L^spps^: Province, And yo^r^ Pet^r^ as in Duty bound shall ever pray &c^a^

Whereupon

Ordered that Speciall warrant issue forth of the Secrys Office to the Deputy Survey^r^ of Somersett County, to lay out and Resurvey the Land of Randall Revell in the said County according to the true bounds thereof and to certifie the certain Quantity of Acres therein conteined into the Secrys Office with all expedition Signed ꝑ ord^r^

JLl. Cl: Consil:

p. 92 Was then also p^r^ferred to the Councell board by Jacob Liseler of New York M^r^chant the following peticōn viz.

To the R^tt^ Hon^ble^ Charles Absolute Lord & Prop^ry^ of the Provinces of Maryld. and Avalon Lord Baron of Baltemore &c^a^ & his Hon^ble^ Councill

The humble Peticōn of Jacob Leslier of New York m^r^chant Humbly Sheweth

Unto yo^r^ L^spp^ that the late Governo^r^ and Councell haveing occasion to send Coll Henry Coursey Embassado^r^ to New

York, The said Governr did request Creditt of yor Petr for Lib. R
what the said Coll. Coursey should have occasion for. Yor Petr was willing to assist the Governmt in what lay in his power, and Did promise the said Governor to furnish the said Coll: Coursey with creditt for what he had occasion, provided yor Petr the fall ensueing should be paid in tobacco in St Maries County at 1d ꝑ lb: and the said tobacco to be prime, good, Your Petr did (upon that promise of his Honor the Governors of such good pay) give the sd Coll: Coursey a Letter of Creditt, upon which he recd: about 250l sterl: and for the same yor Petrs Attorneys demanded pay here in St Maries County, but could not gett any pay to be ordered them in the said County, but I was allotted pay in Ann Arrundell and Talbott Countyes, that the Tobacco lay soe remote that yor Petrs Attorneys could not looke after the same was Damnified by snow and other Evill Accidents, soe that here is above 30 hhs: of it lye in the Countrey, and that which was Shipp'd home brought yor Petr in Debt. Yor Petr was lately taken by the Turkes, his Children still in Slavery, when he came from England he expected some produce of that tobacco, but found himself in Debt thereby, had yor Petr been paid prime tobacco according to the Governors promise it would have turned to Accot to yor Petr Your Petr humbly Desires yor Lspp: and Councell to consider the Deplorable condition of yor Petr and since he hath disbursed soe much ready money for the Service of the Countrey, that he may not totally loose it but that yor Lspp. and Councell would consider of some way for yor Petrs Releife in the prmisses as to yr Lspp and Councell shall seeme best. And yor Petr shall pray &ca

Wch was Subscribed as foll: (viz.)

This Peticon to be considered off by the next Genll Assembly, and to them effectually mooved for Reliefe of the Petr And further whereas the Petr hath proposed to his Lspp and Councill to Deposite the Quantity of tobacco wch he recd: for the money he had expended upon the occasion within mentioned, upon condition that the same money with Damages incident upon protested Bills of Exca might be reimbursed to him, His Lspp (in consideration of the great loss and Damage he hath already susteined thereby) is willing to Dis- p. 93
burse the said Moneys with Damages as aforesaid provided the Countrey by their Representatives doe first approve thereof, and consent to reimburse his said Lspp the same moneys, and in lieu thereof accept to take of the Petr the same Quantity of tobacco as was allowed him, and in such Counties as he recd. the same.

Signed ꝑ ordr
J Ll. Cl. Consil.

Lib. R. At a Councell held at S[t] Peters October 9[th] 1679.

The R[tt] Hon[ble] the Lord Prop[ry]
The Hon[ble] { Philip Calvert Esq[r] Chancelo[r] / Vincent Low Esq[r] Survey. Gen[ll] / L[tt] Coll: Henry Darnall / Coll: William Stevens } P[r]esent

At w[ch] time was read and heard a Peticon p[r]ferred to the Councell board by Cap[t] John Quigley being as foll. viz.

To the R[tt] Hon[ble] Charles Lord Baltemore absolute Lord and Prop[ry] of the Province of Maryland & Avalon, Lord Baron of Baltemore &c[a] In his L[spps]: Court of Chancery

The Humble Petic$\bar{o}$n of John Quigley of the Collony of Virginia

Humbly Sheweth,

Unto yo[r] L[spp] that yo[r] Petic$\bar{o}$ner being out of this Province his Kinsman, and Atto[r]ney John Deery of S[t] Maryes City Inholder Departed this life, making his Sister Elinor Deery, his Brother Owen Quigley, and yo[r] Pet[r] his Kinsman his Execut[rs] and gave us all that he had. The said Ellino[r] Deery and Owen Quigley haveing never been in this Province, and yo[r] Pet[r] being absent one Garratt Vansweeringen of the City of S[t] Maries Inholder That was really and bona fide indebted to the said Deery at the time of his Death, pretending himself a Credito[r] to the said Deery to the Judge for p̄bate of wills &c[a] and that the said Deery died Intestate, procured of the s[d] Judge Admin[r]c$\bar{o}$n of the said Deerys Estate as of One Intestate, After w[ch] yo[r] Pet[r] arrived in this Province, and und[r]standing that the said Deery made such Will, yo[r] Pet[r] exhibited a Libell before the said Judge ag[t] the s[d] Garratt for the vacateing the s[d] Adm[r]c$\bar{o}$n: & prooveing the s[d] Will, the s[d] Judge upon heareing the Cause pronounced the s[d] Deery died Intestate, and dismissed the s[d] Adm[r] with Costs ag[t] yo[r] Pet[r] from w[ch] said sentence of the said Judge yo[r] Pet[r] appealed to yo[r] L[spp]: in yo[r] Court of Chancery as by Law he might, Yo[r] L[spp] according to the Statute of the 25[th] Hen. 8[th] cap: 19: did by a Com̄iss[o] und[r] your greate Seale appoint and Empower Baker Brookes, Henry Coursey, Thomas Taylor, and Benjamin Rozer Esq[rs] to be Comission[rs] and a Court of Delegates, for the rehearing and Definitively Determineing such cause. The said Delegates haveing in Obedience to yo[r] L[spps] s[d] Com̄-
p. 94 miss. fully and thoroughly weighed and Considered the Evidences of both sides, and the pleadings thereupon, and being all Clearely Satisfied therein did pronounce publish and Declare their ffinall Sentence, Judgem[t] and Decree which was, [The said John Deery did not dye Intestate, but that the words by

him Spoken (viz) I give all that I have to my Sister Ellinor Deery, my Brother Owen Quigley, and my Couzen John Quigley and doe make them my Exrs doe amount to a Nuncapative Will, and that the sd Deery was of a Sound Disposeing mind at the time of the speakeing thereof] The Court of Delegates did therefore ordr adjudge and Decree those words soe spoken by the said Deery to be the last Will of the said Deery, and that the sd Ellinor Deery, Owen Quigley and John Quigley are the Executors of the said John Deery And that the said Garratt Vansweeringen pay unto the said John Quigley the Summe of seaven Thousand seaven hundred ninety seaven pds of Tobacco for Costs allowed the said Quigley for his Charges, as by the said Decree of the said Court of Delegates Remaineing upon Record in yor Lspps Court of Chancery (Relation being thereunto had) more fully and more at large it doth and may appeare. Now fforasmuch as the said Comiss° for the said Court issued out of yor Lspps: Court of Chancery, and the said proceedings, and Decree thereupon are there returned and Enrolled, and the said Garratt refuseth to pay yor Petr his said Costs according to the said Decree yor Petr humbly prayes yor Lspp: to grant him yor Lspps most gracious Writt of Execution of the said Decree to the said Garrat to be Directed, thereby Commanding him to obey the same, and if he shall not be obedient thereunto, then that process of Contempt as vsually of Course issue out of this Court. And yor Petr as in Duty bound shall pray &ca Lib. R.

The said Garratt Vansweeringen did also at a Councell held at the City of St Maries the 28th Day of March last prferr his Peticon to his Lspp: then in Councell wch was then read and heard but the Debate thereof then referred untill the next meeteing of the Councill be.

Peticon is as foll: (viz:)

To the Rtt Honble Charles Absolute Lord & Propry of the Provinces of Maryland & Avalon Lord Baron of Baltemore &ca

The Humble Peticon of Garratt Vansweeringen
Humbly Sheweth.

That yor Peticoner being principall Creditor of John Deery decd: pcured Lres of Admrcon from the Honble Judge for probate of Wills &ca And thereby possessed himself of the said Deerys Estate, and was forced to pay severall Debts of the sd Deerys, and for the paymt of his owne, and the other Creditors Debts, And the better to Enable him to Administer Duely, he was necessitated to Commence severall Actions agt severall Drs of the said Deeryes, and amongst the rest agt

Lib. R. p. 95 John Quigley Gentl: who was Dr to the said Deery ꝑ Bill 23970l tobo & ꝑ Accot 9544l tobo wch yett depend undetermined That thereupon the sd John Quigley prtended the sd Deery had made a written Will and therein named Ellinor Deery, Owen Quigley and the said Jno Quigley Exrs and thereupon cited yor Petr before the said Judge for probate of Wills &ca Exhibited his Libell to have the Will prooved, and the Petr Admrcon sett aside, To wch Libell the Petr answered, and Denyed Deery to be Compos mentis when the will was made, and severall Wittnesses were Examined, and Cross Examined, and after Publication to witt 16o August 1678 the cause came to be heard before the said Judge, who the same Day declared the case of the sd Deery to be the Case of a man in his Agony bereft of his Sences by the Violence of his Disease, and the said pretended Written Will Null and void, and Quigley to pay yor Petr Costs, wch afterward were taxed at 2524l tobo

That afterwards the said Quigley appealed and prayed a Comission to Judges Delegates wch was by yor Lspps: Governor granted to Baker Brooke, Thomas Tailler, Henry Coursey and Benjamin Rozer Esqrs or any three of them to heare the said Cause, that Mr Brookes, Mr Coursey and Mr Rozer heareing the Cause the 6th of Novembr 1678, did pronounce publish and Declare [that the said John Deery did not dye Intestate, but that the words by him spoken (viz) I give all that I have to my Sister Ellinor Deery, my Brother Owen Quigley, and my Couzen Jno Quigley, and Doe make them Executors doe amount to a Nuncupative Will, and tht the said Deery was of a sound disposeing mind, at the time of the speakeing thereof] and did ordr Judge and Decree those words soe spoken by the said Deery to be the Last Will of the said Deery, and tht the said Ellinor Deery, Owen Quigley, and Jno Quigley are the Executors of the said John Deery, And that yor Peticōner should pay him 7797l of tobo Costs as by the whole proceedings Remaineing upon Record may appeare. Whereupon yor Petr applyed himself to yor Lspps: Governor by Peticōn that in regard the said Court of Delegates had not duely proceeded to Judgemt nor had they pursued their Comission by onely viewing and reheareing of the cause as it stood before the said Judge, and for that they had by their Decree sett aside the said Written Will as the said Judge had done before, and had decreed a Nuncupative Will which was not before them on the appeale, nor ever any Nuncupative Will prooved or tendered to be prooved before the said Judge who is the onely proper Judge to doe the same and the Comrs Delegates had nothing to Doe therein, and soe yor Petr ought not to pay costs. Yor Petr humbly Desired another Com-

missº to such as yoʳ Lˢᵖᵖ: should appoint to Review the sen- Lib. R.
tence of the said Delegates as is vsuall in such Cases, and in the meane time that all proceedings on the said Delegates Decree might be stayed. That his Honoʳ the Governoʳ gave noe answer to the said Peticōn, but would considʳ thereof, And nothing hath been further Acted in relation to the said Will since, But yoʳ Petʳ is daily sued by Deerys Creditoʳˢ and severall Judgemts passed agᵗ him, And yoʳ Petʳ hath paid and is lyable to pay severall great summes of tobacco, ffor satisfaction whereof and other Creditoʳˢ and yoʳ Petʳˢ sᵈ Debt and his just expences and Disbursemᵗ: in relation to the said Admʳcōn he hath sued the said Quigley in the said two Accoᵗˢ to wᶜʰ the said John Quigley hath pleaded the Decree of the said Delegates, and that he is Executoʳ and yoʳ Petʳˢ Admʳcōn is void and Null, And yoʳ Petʳ hath replyed thereto and Justified his Actions as Admʳ: as aforesᵈ and the same comeing on in the Docquett the 13ᵗʰ of March 1678/9 before the Honᵇˡᵉ the p. 96
Chanceloʳ the Secry, Baker Brooke Esqʳ and Benjamin Rozer Esqʳ they the said Baker Brooke Esqʳ & Benjamin Rozer Esqʳ refused to sitt and give any Judgemᵗ therein, being that point in question had been Debated before them in the Court of Delegates, and his Honoʳ the Chanceloʳ had also had the heareing thereof, and they had delivered their severall Opinions therein already, soe that there is not a Sufficient number to make a Court, whereby there is a failure of Justice for want of a Court, and noe way left for yoʳ Peticōner to recover the said Debts to Reimburse himself and makeing him capable to perform the Admʳcōn according to his Bond and Oath.

Yoʳ Peticōner humbly prayes yoʳ Lˢᵖᵖˢ: Consideration of the pʳmisses, and that yoʳ Lˢᵖᵖ: would be graciously pleased to grant to yoʳ Petʳ that a speciall Cōmission of Oyer and Terminer to some ꝑsons unconcerned such as to yoʳ Lˢᵖᵖ shall seeme fitt may issue to heare and Determine, the Causes and all other the matters aforesaid

And yoʳ Petʳ as in Duty bound shall pray for yoʳ Lˢᵖᵖˢ &cᵃ

His Lˢᵖᵖ: the Lord Propʳʸ haveing advised with his Councill and duely weighed and considered the prayer of the Peticōners and perused the Statute of the 25ᵗʰ Hen: 8: cap 19: and other Lawe Bookes touching the Jurisdiction of such Courts as is last prayed, doth not conceive that he hath power to grant any such Cōmissº

Decembʳ 20ᵗʰ 1679 Lib. R. R.
Cōmission for the peace & Cōmission for tryall of causes p. 178
then issued for Calvert County to

Lib. R. R.

Liev[t] Col Hen: Darnall
Col Henry Jowles
Cap[t] Samuel Bourne
Roger Brooke
John Griggs
} Gentl of the Quorum

John Sterling
Tho: Brooke
Rich[d] Marsham
Geo: Lingham
Jn° Craycroft
ffrancis Collier
ffrancis Hutchins
Samuel Taillor
} Gentl Justices

Dedimus potestatem then issued to Liev[t] Col Henry Darnall & Col Henry Jowles

M[r] Painter 19[th] Decemb[r] 1679

You are hereby ordered to cause Comissions to be drawne for Calvert County, And to putt in the persons above named as they are here sent you by

To M[r] Nicholas Painter chiefe Clerke, att the Office att S[t] Maryes

Yo[r] friend
C: Baltemore

Lib. R. At a Councill held at S[t] Peters the 9[th] Day of ffeb[ry] in the 5[th] yeare of the Dominion of the R[tt] Hon[ble] Charles &c[a] over this Province Annoq Domini 1679:

The Hon[ble]
The R[tt] Hon[ble] the Lord Prop[ry]
Philip Calvert Esq[r] Chancelo[r]
Vincent Lowe Esq[r] Survey[r] Gen[ll]
Benjamin Rozer Esq[r]
} P[r]sent

George Talbott Esq[r] Sworne Privy Councello[r] to his L[spp]: and tooke his place accordingly at the board

William Digges Esq[r] also sworne of the Privy Councill and tooke his place likewise at the board.

Certain ffees settled and allowed to the Clerk of the Councill for the time being and at all times hereafter being as on the other side viz.

p. 97

Fees to the Clark of the Councell viz

	£	s.	d.
ffor recording every peticō to have a mandamus.	00	05	00
ffor ord[r] upon it	00	05	00
ffor every peticō for resurvey of Land.	00	05	00
ffor every ord[r] thereupon	00	05	00

	£	s.	d.	
ffor every peticōn of Denization	00	05	00	Lib. R.
ffor every ordr thereupon	00	05	00	
ffor every peticōn relateing to any other matter.	00	05	00	
ffor every ordr of Councill thereupon not exceeding one side	00	05	00	
if the peticōn or ordr exceed one side then for every side above the first	00	01	04	
ffor every Commissº for a Collonell	01	00	00	
ffor a Majorˢ Commissº	00	15	00	
ffor every Capt Ltt or Ensignes Cōmissº	00	10	00	
ffor every Commissº of review ad revidendū.	02	00	00	
Coppy the same as Entring				

At a Councill held at St Peters the 10th Day of ffebry 1679: p ordr and appointmt of the Rtt Honble the Lord Propry where were prsent

The Honble
- Philip Calvert Esqr Chancelor
- Vincent Lowe Esqr Survey: Genll
- Coll. Benjamin Rozer Esqr
- Ltt Coll Henry Darnall Esqr
- George Talbott Esqr
- Capt. William Digges Esqr

Severall mutinous and seditious speeches (tending to the breach of Lspps: peace within this Province) haveing been lately uttered by Doctor James Barree severall evidences to the same were this Day called and examined upon oath (viz)

Thomas Bennett saies that on Tuesday the 30th of Decemb: last at night he came from on board shipp to Capt. Coodes house on Wiccocomico River, where he found Dr James Barree and severall other psons in Compa but how long they had been there he knowes not, that he believes the said Barree might be something in Drink, that said Barre hott in discourse with Mr Rosewell one of the Compa told him that he was excommunicated for keepeing his Xmas with Hereticks, and seemed to be very angry with Rosewell for being there, and told him that he the said Barree was sent thither p some psons to take notice of his words, at wch Rosewell shewed much anger, Barree then further told him that there was now ready a Troope of Horse consisting of 100 Catholickes undr p. 98 Coll. Darnall and Thomas Courtney to cutt of all the Protestants in Maryland and that in three Daies time, that he the said Rosewell was one of the said Troope, whereupon Rosewell grew very Cholerick and told him that he would take him and burn him. Barree further replied that it was true enough and that he knew it very well; askeing him if his

Lib. R. Conscience did not accuse him, that M^r ffoster had delivered a List of the Troopers Names to M^rs Hill in whose hands he the said Barree saw the same, And further the Deponent saith that the next morning Cap^t Coode asked the said Barree if he did remember what he had said the night before, to which the said Barree (in heareing of his Deponent) replied that he did very well repeateing the same words or words to the same effect over again, further adding that this Business had been made knowne in England, that M^r John Darnall while he was there being taken for his Brother Coll. Darnall was summoned before the King and Councill, but finding the mistake he was again dismissed. Severall other words to the same purpose were at the same time spoken by the said Barree w^ch the Deponent cannot now remember and therefore further saith not.

Neh^a Blakisson Examined Saith that on the 30^th Day of Decemb: last in the afternoon he went to Cap^t Coodes house whither came also ashore from aboard Shipp Docto^r Barree and William Rosewell where falling into discourse D^r Barree was very rude and troublesome vseing severall aggravating words and speeches to all the Company (and that before they begann to Drink) calling them Rogues Heretick rogues, withall telling M^r Rosewell that he was excommunicated for keepeing X^mas with Hereticks, and that he did not question but they would all be made quiett Enough that there was a troope of Catholickes ready to Destroy all the Protestants in the Countrey und^r Tho: Courtney and Coll Darnall (but w^ch was to be Chiefe the Deponent remembers not) more then that Cap^t Coode discourseing with the said Barree made answer, Why soe? why Tho: Courtney before Coll Darnall? to which Barree replied in Lattin for expedition sake, Coode makeing this repartee what because he is a Horse Courser? w^ch is the summe of what the Deponent remembers to be said that night; Next Morning the Deponent taxed D^r Barree with what he had said over night how he had abused M^r Rosewell to w^ch Barree made
p. 99 answer that it was all true Enough, and that Rosewells Conscience must needs accuse him, as well enough knowing himself to be One of the troope; of w^ch he the said Barree could procure a List from M^rs Hill, further confirming all that he had said over night (the company repeateing the same over to him as neere as they could) and saying that he would Justifie it, And further the Deponent saith not.

John Slye upon oath also examined saith that on the 30^th Day of December last William Rosewell borrowed of Cap^t Coode a boate to goe aboard Shipp, and returned a shoare that night bringing with him D^r James Barree very much in

drink almost if not quite fudled as the Deponent thinkes, Lib. R.
where after they had been some small time Dr Barree told Rosewell that he was Excommunicated for keepeing Xmas with Heretickes further saying that there was a troope of one hundred horse undr Coll. Darnall and Thomas Courtney ready to cutt of all the Protestants in 3 Daies time, that the said Barree drew his Knife and whetted upon his Bootes, saying that he hoped with it to cutt some of their throates, that he would cutt Rosewells throate, that he had seene a list of the troope in Mrs Hills hands which was Delivered her by Mr ffoster, that Mr Rosewell, Collen Makensie, and one other (wch the Dept remembers not) were nominated by the said Barree to be in the said List, that that night the said Barree slept upon the Chaires as this Dept beleives. The next morning the Deponent asked the said Barree if he did remember what he had said over night to wch he answered yes, and called to Capt Coodes Negro for the Knife wch they had caused to be taken from him over night, some of the Company repeated the same words by him spoken over night, all wch said Barree that morning owned to be true. And further the Dept saith not.

John Shepard upon Oath Examin. saith that on the 30th Day of January last little before night he went to Capt Coodes house where he mett with Dr Barree and some other Company, whither Barree were drunk or noe he knowes not, but discourseing with the Company he told them that there was to be raised a troope of One hundred horse undr the Comand of Thomas Courtney and Mr Darnall Ltt who were to cutt of all the Protestants, that Mrs Hill had a List of the Troopers Names, The Deponent likewise saith that the sd Barree drew his Penn knife and whetted upon his Bootes, swearing that Rosewell should dye by the hands of an Irish man in three dayes and further this Dept saith not.

Capt Jno Coode, Examined upon oath saith That Dr Barree p. 100
and Mr Rosewell on the 30th Day of Decemb. last at night came to his house, that Dr Barree (as the Dept does beleive) was fudled, that he perceived there was some difference betweene Rosewell and him, Barree saying that he was Excommunicated for keepeing Xmas with Hereticks that there was a troope of one hundred horse ready to cutt of all the Protestants in Maryland in three daies time or within three Daies (whither the Dept knowes not) the Dept asked him who it was that was to command the Troope, To which Barre made answer Thom: Courtney and Coll Darnall the Dept asked him why Thom: Courtney? Barree replied in Latin ob meliorem expeditionem Domine, the Dept made answer again what because he is a horse Courser? Rosewell told

Lib. R. Barree that he was a Lying Dog and that he would throw him behind the fire, But Barree replied again that it was true Enough, and that his the said Rosewells name was in the list, that M^rs^ Hill had it in her Custody. The Deponent further saith that the said Barree drew his knife and whetted upon his Bootes and swore that an Irish man should cutt Rosewells throate within three daies, and that the said Barree should also say that this Designe had beene knowne before in England, and that M^r^ John Darnall while he was in England was summoned before the King and Councill about it, being taken p mistake for Coll. Darnall. The Deponent further saith that the next morning he repeated the same words over again to D^r^ Barre w^ch^ he had spoken the night before as neere as he could collect them askeing him if he remembred any thing of it to w^ch^ the said Barree replied that he did owneing all that he had said to be true.

Jn^o^ Manley. Last Exam: upon his Oath saith that from S^t^ Johns Day to the 30^th^ of Decemb: last himself and severall others in Company had been at Cap^t^ Coodes house on w^ch^ said 30^th^ Day of Decemb^r^ M^r^ Rosewell borrowes a boate of Cap^t^ Coode to goe on board Shipp w^ch^ he did and gott M^r^ Cloud toe go with him, that towards night they came again ashoare and brought D^r^ Barree with them, Rosewell soe soone as they came into the house tells them that he had recd: good news, for I am saies he Excommunicated as Barre tells me, yes saies Barree its true Enough, and that for keepeing X^mas^ with Hereticks, at w^ch^ your wife is very much troubled
p. 101 and soe is poore M^rs^ Hill, for saies he you have been two daies at Cap^t^ Gerards, two daies at Cap^t^ Slyes and now I find you here, at which Cap^t^ Coode tooke him up and bid him be quiett, and drink a cupp of Sider, and not come there to call ffolks Hereticks Whereupon Barree fell into a passion and said it was true enough swearing that there was a troope of Catholicks ready to cutt of all the Protestants in Maryland in three daies time to w^ch^ some of the Comp^a^ makeing answer said it was a lye and not possible to be done Oh saies Barree you are mistaken you doe'nt know what a hundred brave men can doe, and they are all brave gentl^m^ and well armed, that he the said Barree was one that he had a good horse and Case of pistolls; That M^r^ John Darnall instead of Coll. Darnall had been summoned before the King and Councill in England upon this very Acco^t^ but Coll Taylor makeing Oath that he was not the man he was taken for was again dismissed and further the Dep^t^ saith not.

D^r^ James Barre, Being brought to the board by command given to the Sher. of S^t^ Maries County in whose custody he was then a prisoner was also examined upon the severall

Depositions before goeing but denyes all that he stands Lib. R.
therein charged with, saies that he cannot very well remember all his Company nor any of the discourse that passed betweene them that night, but that Cap^{t} Coode the next morning asked him smileingly if he did remember what he said over night to w^{ch} he made answer that he did not neither did as he now saieth but denyes all that is alleadged ag^{t} him, and that he had any words of anger with Rosewell at all neither was ever any such thing in agitation (as he is charged with to have uttered) as he knowes, and therefore conceives there may be malice in the Information.

He is again Committed into the custody of the Sheriff of S^{t} Maries County to be proceeded ag^{t} upon his tryall at the Prov^{ll} Court.

At w^{ch} tryall the severall Evidences for his L^{spp}: against the Prison^{r} aforementioned and others whose names are not before particularised concerning the premisses were bound to appeare and give Evidence to the Court and Jury in this Behalf.

At a Councill held at S^{t} Peters the 11th Day of ffeb^{ry} 1679: p. 102
Where appeared

The R^{tt} Hon^{ble} the Lord Prop^{ry}
The Hon^{ble}
- Philip Calvert Esq^{r} Chancelo^{r}
- Vincent Lowe Esq^{r} Survey^{r} Gen^{ll}
- Coll. Benjamin Rozer Esq^{r}
- L^{tt} Coll. Henry Darnall Esq^{r}
- Coll. William Stevens Esq^{r}

At w^{ch} time came and made complaint to his L^{spp}: and his Councill, One of the Indian Kings at Choptank named Ababsco, that One Thomas Harper of Dorchester County an English man had by force taken from him his Gunn refuseing to make restitution of the same.

Whereupon an ord^{r} is directed to the Sheriff of that County commanding him to make delivery of the said Gunn and to take bond of the said Harper for his good behavio^{r} and his appeareance at the next Prov^{ll} Court and is as foll. (viz)

By the Lord Prop^{ry} & Councill

Whereas Ababco hath made complaint that one Thomas Harper of Dorchester County hath violently taken from him a gunn, and the same in his possession doth keepe, and refuse to returne without any just ground or reason therefore

Ordered that the Sher. of the same County doe upon Sight hereof cause the said Harper to make delivery of the said

Lib. R. Gunn to the s[d] Ababco, as also take bond of the said Harper with Sufficient sureties for his good behavio[r] and his appeareance at the next Prov[ll] Court, and to transmitt the same to the Secrys Office with all convenient speed.

Signed p ord[r]

To the Sher. of Dorchester County. These. JLl: Cl Consil.

p. 103 At a Councill held at S[t] Peters the 14[th] Day of ffeb[ry] 1679:

Being then present

The Hon[ble] { The R[tt] Hon[ble] the Lord Prop[ry]; Philip Calvert Esq[r] Chancelo[r]; Vincent Lowe Esq[r] Survey[r] Gen[ll]; Coll. Benjamin Rozer Esq[r]; L[tt] Coll. Henry Darnall }

Ordered that the Sher. of S[t] Maries County take into his Custody Beaumont and him Safe keepe untill such time as he shall give good security for his good behavio[r] and for his appeareance at the next Prov[ll] Court to answer unto such matters and things as shall be alledged ag[t] him by the Com[rs] of Anne Arrundell County

Signed p ord[r]

To the Sher. of S[t] Maries County or his Deputy This. JLl. Cl. Consil.

Proposed by his L[spp]: to the Councill what answer to give to the Pascattoway Indians to some proposalls of theirs made upon their late addresses to his L[spp]: concerning their security and Defence from fforreigne Indians. It is thereupon advised and concluded on by his L[spp]: and the Councill that Coll. Benjamin Rozer with the advice and assistance of such and soe many able men of his County as himself shall think fitt, be and he is hereby empowered and fully Authorised to call before him the said Indians and treat with them concerning the premisses, and withall to acquaint them that it is the opinion of his L[spp]: and the Councill that all the neighbouring Indians unite themselves to One place, and that Pascattoway is the most Convenient place for that purpose. Coll Rozer to transmitt his proceedings herein unto his L[spp]: and the Councell with all expedition.

Severall Complaints ag[t] Raymond Stapleford Gentl one of his L[spps] Justices of the peace for Dorchester County being made to his L[spp]: and the Councill by some of the Inhabitants thereof. Precept was given to the Sher. of the same commanding him to give notice to the said Stapleford that he was dismissed from serving his L[spp]: in that Capacity (viz)

By the Lord Propʳʸ and Councill. Lib. R.

ffebʳʸ 14: 1679:

Ordered that the High Sher. of Dorchester County give notice to Raymond Stapleford of the same County gentl that it is his Lˢᵖᵖˢ pleasure he be dismissed from sitting in the Court of the said County or otherwise act as Justice of peace in the same Whereof the said Stapleford is hereby commanded to take due cognizᵃ and yeild obedience thereunto.

Signed p ordʳ

To the Sher. of Dor. County This. JLl: Cl. Consil.

ffebruary 23th 1679 p. 179

Comission for the peace & Comission for tryall of causes in Someʳsett County then issued to

Gentl of the Quorum:
- Col Wᵐ Stevens
- Col Wᵐ Coleburne
- Capᵗ Henry Smith
- John White
- George Johnson
- Capᵗ Tho: Walker
- Capᵗ David Brown
- ffrancis Jenckins

Gentl Justices:
- John Winder
- Wᵐ Brereton
- Charles Ballard
- James Dasheile
- Roger Wolford
- Major Ambrose London
- Ambrose White
- John Osborne
- Thomas Newbold
- Wᵐ Jone

Dedimus potestatem then issued to Col Wᵐ Stevens

[Prorogation of Assembly.] Lib. R. R. p. 174

By the Lord Proprietary

A Proclamation

Whereas for seaverall weighty and urgent occasions & affaires Relateing to our Selfe and the state and Defence of this our Province wee did hold a Generall Assembly att the Citty of Sᵗ Maryes the fifteenth day of May in the first yeare of our Dominion &c. Annoq Domini One thousand six hun-

Lib. R. R. dred seaventy six w^ch^ for divers consideracons us thereunto moveing. Wee did by seaverall prorogacons continue and prorogue the same untill the twentieth day of october then next ffollowing, w^ch^ said Assembly the fifteenth day of November then next following wee did prorogue untill the second Tuesday in May then next following, w^ch^ upon the fourteenth day of March then next ffollowing wee did prorogue untill the last Tuesday in Septemb^r^ last past w^ch^ upon the sixteenth day of August last past wee did prorogue untill the thirteenth day of Aprill w^ch^ shall bee in the yeare of our Lord god one thousand six hundred and eighty, W^ch^ said thirteenth day of Aprill On w^ch^ the said Generall Assembly should sitt, being now neare att hand and noe urgent occasions or affaires Relateing
p. 175 to the State or welfare of this our Province appeareing for the convening & sitting of our said Generall Assembly on the said thirteenth day of Aprill Wee have by and with the advicé and Consent of our Councell Determined and ordained, And wee doe hereby ffully Resolve determine and ordaine that the said Generall Assembly bee prorogued untill the Seaventh day of September w^ch^ shall bee in the yeare of Our Lord god One thousand six hundred and eighty. And wee doe hereby will and require as alsoe strictly charge and command all and Singular the Sheriffes of this our Province, forthwith upon receipt hereof to make Proclamation hereof in the most Convenient places w^th^ in theire respective Countyes, and to give notice to all and singular the Delegates and Deputyes by the freemen of theire County already elected or for that purpose to bee elected, that all excuses sett a part they and every of the said Delegates Come & personally appeare at the said Citty of S^t^ Maryes on the said seaventh day of September w^ch^ shall bee in the yeare of our Lord god one thousand six hundred and eighty, to doe and consent to those things w^ch^ then and there by the favo^r^ of god shall happen to bee ordained by us by and with the advice and consent of our greate Councell of this our Province concerning the state and welfare of this our Province, And alsoe to give notice to such of our Concell as inhabitt within theire respective Countyes that all excuses sett a part they also bee and appeare at the day and place aforesaid to the end and purpose aforesaid. Given at our Citty of S^t^ Maryes under the greate seale of our said Province of Maryland the three and twentieth day of March in the ffifth yeare of our Dominion &c Annoq Domini One thousand six hundred seaventy nine

Lib. R. At a Councill held at Notley Hall the 31^th^ of March in the
p. 104 5th yeare of the Dominion of the R^tt^ Hon^ble^ Charles &c^a^ Annoq Domini 1680

Where were present Lib. R.
The Rtt Honble the Lord Propry
The Honble { Coll Benjamin Rozer Esqr
Capt William Digges Esqr

At wch Time and place the Emperor and greate men of Pascattoway came to acquaint his Lspp: that they had a greate desire to make a peace with all the Northern Indians both Sinnequos and Susquesahawnoks and to that End had prepared severall presents wherewith they designed to send some Agents of theirs to the Mattwas Indians to desire their assistance in the same.

But noe Interpreter being prsent save onely a Choptico Indian that could speake a little English his Lspp and Councill waved further discourseing with them till the next day at wch time Thomas Baker of Charles County was commanded to give his attendance in the words foll. (viz)

By the Lord Propry and Councill

Maryland ss.

Ordered that Thomas Baker of Charles County (all excuses sett apart) be and psonally appeare before his Lspp and the Councill at Notley Hall on Wiccocomico River to morrow morning being the first of Aprill there to serve as Interpreter betweene his said Lspp: and Councill, and the Pascattoway Indians in matters concerning the state of the Province Whereof he is not to faile Dated the 31th Day of March in the 5th yeare of his Lspps Dominion &ca Annoq Domini 1680:

Signed p ordr JLl. Cl. Consil.

To Thomas Baker of
Charles County
These

Warrant directed to Mr Robert Doyne of Charles County to press man and horse or other Conveniency for conveyance of the above ordr according to directions viz:

By the Lord Propry & Councill

Maryland ss:

You are hereby Authorised and empowered, as also willed and required to press a man and horse or other conveniency for the speedy conveyance of an ordr of Councill herewith delivered you directed unto Thomas Baker of Charles County with all expedition whereof faile not, and for soe doeing this

Lib. R. shall be y^r^ warrant Dated the 31^th^ of March in the 5^th^ yeare of his L^spps^ Dominion &c. Annoq Dmi. 1680

Signed p ord^r^
JLl. Cl. Consil.

To M^r^ Robert Doyne of Charles County
These.

p. 105 A power was also at the same time given to the said Baker (and annexed to the foregoing ord^r^ of Councill to him directed) to press boate and hands viz.

You are hereby Authorised and empowered to press Boate and hands at William Hatches or else where in Charles County for your more speedy passage over.

Signed ut Sup^a^: JLl. Cl. Consil.

At a Councill held at Notley Hall the first Day of Aprill 1680: being Present,

The R^tt^ Hon^ble^ the Lord Prop^ry^
The Hon^ble^ { Coll. Benjamin Rozer Esq^r^
{ Cap^t^ William Digges Esq^r^

Where also appeared according to appointm^t^ the Empero^r^ and greate men of Pascattoway as yesterday. Thomas Baker the Interpreter likewise gave his attendance according to the ord^r^ of Councill to him Directed

The said Indians give his L^spp^ to und^r^stand that they are very desirous to make peace with the Northern Indians being thereunto encouraged from the Mattwas Indians who had promised if they would but come to them and bring some presents, they would make an addition thereunto and vse their endeavo^rs^ to mediate a peace for them with the Janadores or hazard their owne Lives for them, and to that End therefore they the said Pascattoway Indians had provided some presents w^ch^ they designed to send by some of their Indians to the Mattwas, but first they desired to acquaint his L^spp^ with their designes before they made any progress therein, pursuant whereunto they had now made their Addresses to his L^spp^: desireing his Consent.

Which was granted and his L^spps^: Letters Testimoniall to the same purpose were given them as followeth (viz:)

Charles Absolute Lord and Prop^ry^ of the Province of Maryland and Avalon Lord Baron of Baltemore &c^a^ To all Our officers Civill and Military within this Province, and other

the good People resideing in or passing through the same to Lib. R.
whom these presents shall come greeteing.

Whereas the Emperour and greate men of Pascattoway in behalf of himself and the Indians und[r] his Subjection, and of other the severall Townes and Nations of our Neighbour Indians, being very desirous to conclude and confirme a generall peace with all the Northern Indians Senniquos and Susquesahannohs, have sollicited and besought of us Liberty soe to doe, and also Supplicated Our Letters Testimoniall of our consent thereunto, granting a free pass to their Agents Nicotaucht, and Toetongewas two men & Nicotenaus a woman quiettly to pass and repass through the severall p. 106
Counties & parts of this Our Province in their Journey to the Mattwas Indians whither they are designed in ord[r] to obteine their aid and assistance in accomplish the said peace for them. Know yee therefore that wee haveing advised with our Councill and fully consulted the premisses, considering the same to be of great moment and Concern to this Our Province, conduceing much to the good and wellfare, peace and quiett of the Inhabitants thereof, Doe (by and with the advice and consent of our said Councill) by these Our Lrēs Testimoniall Signifie and Declare our free Consent thereunto, and therefore doe hereby give free Liberty to the said Nicotaucht, Toetongewas, and Nicotenaus, to pass and repass any part or place of this Our Province, Desireing as also willing and requireing all and singular Our Officers civill and Military within this Our Province, and others the good people as aforesaid to Suffer and ꝑmitt the said Indians soe to doe without any Lett hinderance or Molestation, vseing noe manner of hostility or evill carriage whatsoever to the said Indians, but affording them all civill treatement & ffriendly kindness, with all possible aid and assistance in their passage over Creekes Rivers or Bayes where it shall be needfull for their more easie and speedy passage to and from their said Intended Journey.

Given und[r] our hand and Seale at Armes the first Day of Aprill in the 5[th] yeare of Our Dominion &c[a] Annoq Dmi. 1680.

[Commission to John Llewellin.]

Charles Absolute Lord and Prop[ry] of the Province of Mary-
C. Baltemore land & Avalon Lord Baron of Baltemore &c[a] to
Maryld. ss. John Llewellin of S[t] Maries County Greeteing.

Out of the speciall trust and confidence we have in your greate care, truth, ffidelity and Circumspection we have ordeined constituted and appointed, as by these p[r]sents we Doe ordeine constitute and appoint you the said John Llew-

Lib. R. ellin to be Clark or Reg^{r} of our private seecrett and continuall Councill, as also Clk of our Upper house of Assembly within this our Province of Maryland Wherefore you are from time to time and at all times hereafter (when and as often as there shall be occasion, or you shall be thereunto required) to give your due Attendance at such place and places as we shall think fitt to Determine and appoint for summoning together our s^{d} Councill to the End that due Register may be kept of all such matters and thinges as shall be there treated and
p. 107 Concluded off. And you are likewise from time to time and at all times hereafter (when and as often as wee shall see occasion to conveene the Delegates and Representatives of this our Province in a generall Assembly) to give your like due attendance in the upper house of our said Assembly there to officiate as Clark of the same, and to keepe true Record of all such matters and thinges as shall then and there be Done and acted, and in all thinges you are to act and Doe to the utmost of your skill knowledge and endeavo^{r} as to the place and Office of Clk of the Councill and Clk of our s^{d} Upper house of Assembly may or of right ought to be Done for the due execution of your s^{d} place and Office, according to such Orders Instructions & Directions as you shall from time to time receive from us or our Leive^{t} Gen^{ll} or other Chiefe Governo^{r} or Deputy Governo^{r} for the time being. To have and to hold the s^{d} place and Office of Clark of our Councill and Upper house of Assembly for and dureing pleasure. Given und^{r} our hand and Seale at Armes the thirtieth Day of Decemb in the ffifth yeare of our Dominion &c^{a} Annoq Dmi. 1679:

May 12th 1680.

The R^{tt} the Lord Prop^{ry} haveing recd: a Letter this morning from M^{r} William Chandler High Sher. of Charles County touching a Rumor of the Sennico and Susquehannah Indians being lately come downe soe farr as the Pascattoway ffort. The Letter being as foll. viz.

May it please yo^{r} L^{spp}:

On Monday the tenth of this instant in the Evening came downe from Pascattoway ffort an Indian who informed me that the Sinniquo and Susquehannoh Indians have built them a ffort within sight of the Pascattoway ffort, they Judge it to be about five hundred yards Distance, and about three hundred of them, when our Indians discovered them they immediately engaged with them, w^{ch} had been the best part of two Daies when the Indian came downe, I understand their desire is that they might have some English men to Assist them,

therefore I thought fitt to acquaint your L^spp^ of it soe soone as Lib. R.
possibly I could. In their engagem^t^ I und^r^stood p the Indian
that they severall times discoursed with each other, and that
they lye scattered about and kill severall horses for their pro-
vision, if your L^spp^ thinks fitt, it were needfull that some pson
in our County might have power to press both horse and men
when such occasions p^r^sent to give y^r^ L^spp^ speedy notice, not
else but I Remaine

Yo^r^ L^spps^: obedient Serv^t^ at Comand.

May 11^th^ 1680: W^m^ Chandler

W^ch^ said Letter was by his L^spp^: communicated to some of his
Councill (to say) the Hon^ble^ Philip Calvert Esq^r^ Chancelo^r^ Will^m^
Calvert Esq^r^ Sec^ry^, L^tt^ Coll. Thomas Taylor, Vincent Lowe p. 108
Esq^r^ Survey^r^ Gen^ll^ & George Talbott Esq^r^ Councello^r^ whose
opinion being asked therein they doe advise and it is con-
cluded that his L^spps^ ord^rs^ be directed to Capt. Randolph
Brandt of Charles County commanding him with one Squad-
ron of his troope consisting of 20 men (whom he shall think
fitt) forthwith to march to the Pascattoway ffort there fully to
informe himself of the truth of the said Report, and that for
his better Information therein John Stone of the same
County gentl be commanded to accompany the said Brandt
to the said ffort and to afford him all necessary aid and assist-
ance as an Interpreter between him & the s^d^ Indians, and that
both the said Brandt & John Stone render an exact of their
pceedings unto his L^spp^ by Monday next the Seaventeenth
instant at furthest, in ord^r^ whereunto the said Brandt to be
fully authorised and empowered to press man and Horse in
any part of the said County for conveyance of the same to
his L^spp^: and at all other times hereafter upon the like occa-
sion when soever it may happen, concerning the premisses.
His L^spps^ Commiss^o^. was accordingly directed to Capt. Ran-
dolph Brandt in the words foll. viz.

Maryland ss.

Charles Absolute Lord and Prop^ry^ of the Province of
Maryl^d^ and Avalon Lord Baron of Baltemore &c^a^ To Capt.
Randolph Brandt of Charles County greeteing. Whereas
wee are credibly Informed and given to und^r^stand that a con-
siderable party of strange Indians to the number of about
three hundred are lately come downe and enforted them-
selves neere to the Pascattoway ffort in your s^d^ County to the
greate terro^r^ and amazem^t^ of the English Inhabitants in those
pts not knowing what their Designe may be, These are there-
fore to Authorise and empower as also strictly to charge and
command you the said Cap^t^ Randolph Brandt forthwith to

Lib. R. summon together one Squadron consisting of twenty men of your Troope whom you shall think fitt to appoint, and with them well mounted and compleately armed you are to march to the Pascattoway ffort there to Informe your self as fully as you cann from the Indians there touching the truth of the said Report, and all Circumstances thereunto relateing with the posture and Designe of the said strange Indians, and the present State and condition of the Pascattoway Indians them-
p. 109 selves soe farr forth as you can Learne or receive from them, and for your better execution of this your precept you are to address your self (in y^r^ way thither) to M^r^ John Stone of your s^d^ County who is hereby willed and required to accompany you to the said Pascattoway ffort, and to afford you his advice aid and assistance as Interp^r^ter betweene you and the s^d^ Indians in such matters and thinges as y^u^ & he shall think fitt to propose to them, and they shall again offer to you in ord^r^ to yo^r^ better Information concerning the p^r^misses, An Acco^t^ whereof as well you the said Capt. Randolph Brandt as also the said John Stone und^r^ your hands you are to rend^r^ unto us by Monday next the Seaventeenth instant without faile. In ord^r^ whereunto you are hereby Authorised and empowered to press man & horse in any part of the said County as well for Conveyance of the s^d^ Acco^t^ unto us the said Seaventeenth instant as also from time to time and at all times hereafter when and as often as occasion shall require or you shall see convenient for any further discovery or Intelligence w^ch^ may happen to be made to you any waies concerning the same. Whereof faile not and for soe Doeing this shall be your warr^t^ Given und^r^ our hand and Seale at Armes the 12^th^ Day of May in the ffifth yeare of our Dominion &c^a^ Annoq Dmi 1680:

A Letter was also writt to M^r^ Chandler from his L^spp^: in answer to his being as foll (viz:)

M^r^ Chandler

Yours of yesterdays Date this morning I recd: conteineing the Intelligence you recd: from a Pascattoway Indian concerning the Sinniquo and Susquehannoh Indians being come down about 300 of them and Inforted neere the Pascattoway ffort, I thanke you for your care in adviseing it, and have given ord^rs^ to Capt^a^ Brandt what I thought necessary to be done therein at p^r^sent, and shall take what further care therein may be needfull. I am Your very Lo. ffriend

S^t^ Maries May 12^th^ 1680: C: B:

May 14^th^ 1680:

The foregoeing ord^rs^ to Cap^t^ Brandt & Lr̄e to M^r^ Chandler then read in the p^r^sence of the R^t^ Hon^ble^ the Lord Prop^ry^ The

Hon^ble Philip Calvert Esq^r Chancelo^r L^tt Coll Thomas Tailler, Lib. R.
Vincent Lowe Esq^r Survey^r Gen^ll & George Talbott Esq^r who
all declare their consent & approbation.

At a Councill held at S^t Maries in the Land Office Chamber p. 110
Monday 17^th May 1680:

The R^tt Hon^ble Charles Lord Prop^ry
The Hon^ble { Philip Calvert Esq^r Chancelo^r
W^m Calvert Esq^r Secry
George Talbott Esq^r Councel^r } P^rsent

His L^spp: the Lord Prop^ry haveing recd: a Letter from Cap^t Rand^o Brandt concerning the late Report of the Sinniquos & Susq^hs Indians pursuant to his ord^rs of the 12^th instant the same was read in the words following.

May it please yo^r L^spp:

In obedience to yo^r L^spps Comands have been with the Pascattoways Indians who seemed to be much concerned we came not to them sooner but have given them Satisfaction in that pticular, what they say as touching the Senniquos & Susq^s is that they came upon the ffort on Sonday last, their number as they Judged them about two hundred, and severall times fireing at the ffort, at last they came to a treaty, the Pascattoways would have bought their peace proffering a present, but the Susquehannohs told them they would have revenge for their greate men killed the late warr and that they expected to have their Indians taken by us to be restored, they severall times asked where the English men were on the Pascattoway side, onely one man wounded in the ffoote, being then in the Empero^rs Cabin, Sundry shott have been made at the ffort as appeares and many horse killed by them as they informe, but my Cornett saw two they had killed, the Sinniquos left them on Wednesday and went away much Dissatisfied, they expect them daily with a much greater number. It happened a Boy of M^r Lines being sent from a q^rter of his to looke for a horse lost himself in the woods and by chance came to the ffort, who confirmes most of what they say, he being then in the ffort; what they have to offer to y^r L^spp is that they may have some powd^r haveing spent much of their store as they alleadge also that they may remoove from thence downe to Mattawoman or where your L^spp: shall appoint for there they will not stay, I have promised them yo^r L^spps: answer by thursday next at farthest, w^ch I hope to receive by this Messenger whom I send on purpose with this Dispatch, M^r Stone not being at home was forced to make vse of another Interpreter,

Lib. R. p. 111 and by what I can undrstand the Indians were well Satisfied therein; I very much doubt our Indians, if they are not Countenanced they will submitt to the Senniquo: I hope yor Lspp: will excuse my badd Lines being in haste with the representation of my due Obedience and best of Service Subscribe Ever

Charles County May the 16th 1680: — Yor Lspps: ffaithfull Servtt Rand: Brandt

ffor other news it is here reported from Virga of a man goeing out of the garrison there to remoove his horse was carried away by some Indians.

The Lord Propry and his Councill take into Consideration the present condicōn of the Emperor of Pascattoway and the Indians undr his Command oppressed by the Sinniquo and Susquehannohs. And the said Emperor haveing Declared that he will not stay at the place of his wonted habitation, but for security of himself his men and their wives and Children will remoove to Mattawoman or such other place as his Lspp shall appoint as appeares by the Letter of Capt Randolph Brandt whom his Lspp sent up to Pascattoway ffort to undrstand the condition of the said ffort and Indians lately assaulted by the Sinniquos and Susquehannohs. His Lspp commanded the severall Articles of peace with the said Emperour and Nacōns under his Command to be read, and it appeareing by the Articles made with the said Emperor in the Assembly held in the yeare 1666: and afterwards renewed & ratified by his Lspps Deputy Lievetenants 20th July 1670: that in case of Danger his Lspps: Governor here shall appoint a place to wch the Indians undr the said Emperors Command shall bring their wives and Children to be secured from Danger of any fforreigne Indians. His Lspp with the advice of his Councill doth hereby appoint Nantecoke River for the place for the said Emperor to secure his men, their women and Children in till such time as they heare what peace their Embassadors lately sent to the Sinniquos and Susquehannohs Indians can procure, and in the Interim his Lspp: by the advice aforesaid doth ordr that powder and shott be sent to the said Emperor for his better Defence if he and his men think fitt to Defend the ffort or prosecute the warr, or otherwise that Sloopes and Boates be provided for transportation of the said Indians their women and Children wth their pvisions

And his Lspp: doth declare to the said Indians that he hath Chosen this place (viz) Nantecoke the rather because he hath been informed by the Pascattoway Indians, that the Emperour p. 112 of Nantecoke hath lately Invited them the said Pascattoways to come and cohabitt with the Nantecokes.

A Letter was likewise sent from his L^spp to Cap^t Brandt Lib. R.
and is as foll viz^t

May 17^th 1680:

Cap^t Brandt

Yours of yesterdays Date I recd: and doe herewith returne y^u an ord^r of Councill in answer to what the Indians of Pascattoway have lately requested; w^ch ord^r you are upon sight hereof Speedily to Communicate unto the Empero^r & greate men of Pascattoway, and if they accept of what is offered for their Remooveall to the Nantecoke Indians, you are then as speedily to Certifie downe to me such their acceptance, as also when and where they shall desire to have Sloopes and Shallops to Receive them, in ord^r to the Wafteing them, their Wives, Children, and provisions over the Bay; but should their first Intentions of quitting their ffort be changed into a Resolution of remaineing in and Defending their ffort, then you are ord^rd forthwith to signifie such their resolution, that care may be taken to supply them with some small store of powd^r & shott w^ch they requested and you signified in your last to me

Yo^r Loving ffriend C: B:

There was also at the same time a Letter recd: from Thomas ffrancis being as foll. viz.

An Arrundell County May
13^th 1680:

May it please yo^r L^spp:

After my humble Service as my Duty Commands I p^rsume to give your L^spp: Acco^t that on the 12^th instant, the Indians committed a robbery at the head of South River in Anne Arrundell County, in this manner Thomas Pattison an Inhabitant at the said South River being at worke in his plantation, three Indians appeared in ffriendly manner, one speakeing English Complained they were hungry and asked for bread and farther said they were Senneca Indians, the said Thomas goeing to the house ward to give them bread, they made a small noise, and presently their appeared Seaventeen more painted, and the Indian w^ch spoke first in English for bread, spoke in the Pascattoway tongue to the s^d Thomas and bid p. 113
him not be afraid, and after in English that they would not hurt him, and soe marched to the house, the w^ch when Entred they the s^d Indians, plundered and spoiled all the said Thomas's houshold goods; his provision and weareing apparell, stripped his Servants and Children naked carrying away his gunns and all that was fitt for carriage spoileing what they could not carry away soe that they have left him in

Lib. R. a distressed condition, the Inhabitants there about affrighted are remooveing & remooved from the said head of the River, and I having noe ordr for the raiseing of men upon such expedicōn humbly desire yor Lspp to Signifie your pleasure in the prmisses with convenient Speed, in the meane time have ordred that the Inhabitants in those parts be very carefull of themselves and that as soone as your Lspp shall be pleased to send any ordr for their assistance that they shall have knowledge thereof soe Craving yor Lspps gracious pardon for this presumption, Remaine yor Lspps obedient Servtt

Thomas Francis.

At a Councill held at St Peter's the 22th Day of May Annoq 1680

The Rtt Honble the Lord Propry
The Honble { Philip Calvert Esqr Chancelor
William Calvert Esqr Secry
George Talbott Esqr } Prsent

At wch time was pduced by his Lspp and read to the board a Letter from Capt Randolph Brandt concerning the Pascattoway Indians according to his Lspps ordrs to said Brandt of the 17th instant.

The said Letter followeth in these words viz.

Rtt Honble

Yor Lspps Commands of the 17th instant have Communicated to the Emperor and greate men of Piscattoway who seemes to be very thankfull for the Ammunition yr Lspp is pleased to tendr them, I likewise acquainted them with yor Lspps pleasure in remooveing them to the Anticokes, and doe find them very ready and willing to remoove thither or any where your Lspp shall appoint they also Offer if yr Lspp will
p. 114 ordr the neighbouring Indians (viz) Mattawomans, Chopticos &c: up to Piscattoway they will keepe their ground & maintaine their ffort against their Enemies, or otherwise if yr Lspp will appoint a small party of English to be at their ffort for the security of their wives and Children they shall then bee encouraged to stay and make Corne, it is generally thought the Pascattoway Indians may draw the Mattawomans over with them to the Anticokes. I have sent James Smallwood on this message who is able to give yor Lspp a full relation of this affaire, whom I made vse off as Interpreter in the presence of Mr William Chandler. The Emperor & greate men tells me of an Indian of theirs killed by the English at Capt Aspinalls about Tenn Daies agoe wch they have lately dis-

covered, I have promised them to enquire about it, and give Lib. R
yo^r L^spp: Acco^t thereof w^ch shall be duely performed by the first oportunity. I am doubtfull wee shall have much trouble with the fforreigne Indians, if yo^r L^spp thinks fitt to Employ a Post for our County it will be much better for the people is much dissatisfied to have their horses press'd from them. The Embassado^rs sent to the Sinniquos are returned without effecting any thing, they alleadge the Inhabitants up the Bay would not assist them with a passage over—as to other ꝑticulars James Smallwood cann best Informe yo^r L^spp: with my due Obedience p^rsented in haste Subscribe

Yo^r L^spps ffaithfull Serv^t
Charles County May 21^th 1680: Rand^o Brandt

If your L^spp please to spare us some powd^r and Bulletts with a few flints to have ready in store for the County, Cap^t Jones Mast^r of the Bristoll Shipp is intended with a Sloope for our parts in some few Daies by whom should be glad to receive the same, not knowing how soone we may have occasion; I begg y^r L^spps pardon and excuse for my rude Lines Subscribe In haste Yo^r L^spps Serv^tt whilest
Rand: Brandt

W^ch Letter being read and the Contents thoroughly weighed and Considered by his L^spps and his Councill here present it is concluded most Safe for the Pascattoway Indians and Mattawomans to remoove themselves their wives and Children to Nantecoke for some time and that for severall p. 115
reasons then argued w^ch is resolved to be Signified to the said Indians in as few words as may be for preventing any mistakes in the Delivery thereof by the Interpreter M^r John Stone who is ordered to Communicate the same unto them in manner following viz.

By the Lord Prop^ry & Councill
May 22^th 1680:

Ordered that the Empero^r of Pascattoway be given to und^rstand ffirst

1: That his L^spp desires nothing more then that he and his people be Safe from their Enemies.

2; That his L^spp is certain that if all the Choptico Indians and the Mattawomans were at Pascattoway with the Empero^r they are not able to fight the Sinniquos & Susquehannoghs who are above One Thousand men

3: That the Virginians will not beleive that the Sinniquos murd: their people, and doe say that all the murd^rs committed on that side of Pottomack are done by the Pascattoways.

Lib. R. Wherefore his L^spp doth think it better for the Pascattoways and Mattawomans to remoove with their wives and Children to Nantecoke for some time till the Virginians doe see that the Sinniquos doe murd^r their people, and that we may have time to procure them a firme peace with the Sinniquos & Susquesahannoghs

And his L^spp: doth expect to have timely notice from the Empero^r of his Resolution to remoove to Nantecoke that he may provide Sloopes. Signed p ord^r

JLl. Cl. Consil.

James Smallwood was also at the same time appointed Post for Charles County according to the following ord^r (viz:)

By the Lord Prop^ry & Councill

Ordered that a Post be appointed in Charles County for conveyance of all publick Intelligence from thence to his L^spp: and his Councill and that James Smallwood of the same County be and he is hereby authorised and empowered to Officiate the same upon such reasonable Sallary, as at the Discretion of his s^d L^spp: and Councill shall be allowed of, dureing his L^spps pleasure. Signed p ord^r

JLl. Cl. Consil.

A Letter was likewise writt to Capt. Brandt from his L^spp: for Cover to the foregoeing ord^r of Councill concerning the Piss: Indians, being as foll viz.

p. 116 Cap^t Brandt

Yo^rs of yesterdays Date have recd: conteyneing the Pascattoway Indians answer to the last ord^r sent y^u w^ch hath been duely weighed and I now send you another ord^r of Councill relateing to them w^ch you are by M^r John Stone of your County (already appointed to assist you as Interpreter) to communicate both to the Mattawoman and Pascattoway Indians, James Smallwood is appointed Post for yo^r County for Conveyance of all publick Intelligence from thence, whom you are upon all such occasions to make vse of.

This from Yo^r Loving ffriend

C: B:

Richard Broughton of Calvert County haveing sollicited his L^spp for license to keepe a fferry in Pottuxen River it was thought necessary and convenient for conveyance of publick messeng^rs over Pottuxen River and the Ease & benefitt of the Inhabitants haveing occasion aboard Shipps and over the said River that a Post be kept at Ashcombes plantation according

to the request of s[d] Broughton and ord[r] of Councill accord- Lib. R.
ingly was directed to the said Broughton

By the Lord Prop[ry] & Councill

Ordered that a fferry be settled at Ashcombes Plantation on Point Patience in Pottuxen River for wafteing over all publick Messengers or other ꝑsons whatsoever that shall have occasion over the said River on board Shipps or else where in the said River, and that Richard Broughton be and he is hereby authorised & empowered to take the same dureing his L[spp] pleasure

To all ꝑsons whom it may Concern This. Signed ꝑ ord[r] JLl Cl Consil

The Articles of peace made with the Pascattoway Indians Anno One thousand six hundred Sixty Six and since ratified & renewed one thousand Six hundred Seaventy were delivered into the Office for Lands by the Hon[ble] Philip Calvert Esq[r] Chancelo[r] the Seaventeenth of this instant May and are as foll viz:

Articles of Peace and Amity concluded & agreed upon p. 117
Between the right hon[ble] Cæcilius Lord & Proprietor of the Province of Maryland & Avalon Lord Baron of Baltemore and the Indians of Pascattoway, Anacostaub, Doags, Mibibiwomans, Masquestend, Mattawomans, Chingwawaters, Nangemaick, Portobackes, Sacayo, Pangayo and Choptico the Twentieth day of Aprill One thousand six hundred Sixty & Six.

1. Imprimis the aforenamed Indians do ratify & Confirm acknowledge & declare the sole power of constituting & appointing the Emperour of Pascattoway to be & remain in the right hon[ble] Cæcilius Lord & Proprietor of this Province & his heirs Lords & Prop[r]ietors of this Province and do desire the Govern[r] with what convenient speed he can to appoint an Emperour in the place of Walmcasco the second lately deceased

2: If any Indian kill an English man he shall dye for it.

3: Forasmuch as the English cannot easily distinguish one Indian from another that no Indian shall come into any English Plantacō painted & that all the Indians shall be bound to call aloud before they come within three hundred paces of any Inglish mans cleer ground and lay down their Armes whether Gun, bow or Arrows or other weapon for any English man that shall appear upon his call to take up and in Case no one appear that he shall there leave his said Armes if he come neerer and that afterwards he shall by

Lib. R. calling aloud Endeavour to give notice to the English of his neerer approach And if any English man shall kill any Indian that shall come unpainted & give such notice & deliver up his Armes as aforesd he shall dye for it as well an Indian that kills an English man and in case the English & Indians meet accidentally in the woods every Indian shall be bound imediatly to throw down his Armes upon call and in Case any Indian so meeting an English man shall refuse to throw down his Armes upon call he shall be deemed as an Enemy.

4. The Priviledge of Hunting, Crabbing, ffishing, And fowling shalbe p[r]served to the Indians Inviolably

5. That in Case of Danger the Govern[r] shall appoint a place to which the Indians of the aforesaid Nacōns shall bring their wives & children to be secured from danger of any forreign Indians and that in Case the men of the aforesaid nacōns chance to be killed that the women & children shall remain free & not be Serv[ts] to the English.

6. That Nicholas Emanson do make the Indians of Nangemaick satisfaccōn for the damage by him done to their Corn in Case George Thompson & John Brown testify that the said Emanson did willfully thrown down their ffence about their Corn ffield

7. That the Indians of Nanjemaick shall remain upon the place where they now live and that Necutahainon son to their last King be King over that people imediatly und[r] the Protection of the Lord Prop[r]ietor of this Province and Subject to no Indian whatsoever.

8. That John Roberts & Thomas Maris do pay the Indians of Chingwawateick one hundred & twenty arms length of Roan Oak for the Indian that was Slain by them at the head of Portoback Creek in August last

9. That every Indian th[t] killeth or stealeth a hog calf or other beast or other Goods shall undergo the same punishm[t] that an English man doth for the same offence

10. That the severall Nacōns aforesaid shall continue upon the places where they now live and that the hon[ble] the Govern[r] be desired to lay out their sev[r]all bounds as to him in Justice shall seem most for the publique good between this
p. 118 and the last of June next ensueing within which bounds it shall not be lawfull for the said Nacōns to entertain any forreign Indians whatsoever to live with them without leave from the Lord Prop[r]ietor or his chief Govern[r] here for the time being and that the said Indians shall not be forced or removed from the said places so to be limitted & appointed to them by the Govern[r] as aforesaid unless the Nacōn or Nacōns or any particular person of those Nacōns hereafter to be removed shall signify their willingness to be removed by

the Consent of their Matchomaco to such com^rs as the s^d Lord Prop^rietor or his chief Govern^r here for the time being by Comission under the great Seal of this Province to be Authorized to take the same & lycense thereupon from his said L^pp or his Govern^r here to remove had & obteyned. Lib. R.

11. That the aforesaid Nacōns shall from & after the first of December next ensueing fence in their Corn ffields from hoggs & Cattle of the English And if any Englishman willfully throw down any of their ffences they shall make the Indians full Satisfaccon for their Damage

12. In case any Servants or Slaves run away from their Masters & come to any of the Indian Towns aforesaid that the said Indians shall app^rhend them and bring them to the next English Plantacōn to be conveyed to their Master and if any Indian convey or assist any such ffugitives out of the Province that he shall make the respective Master or Mistrs of such serv^t or serv^ts such satisfaccōn as an English man ought to do in the like Case.

13. That all great men here p^rsent do imediatly sign these Articles & that the great men of Those Towns that were here & are returned or otherwise did not come but by their Proxies shall come to the Govern^r when he comes to Pascattaway to make the Emperour & sign the Peace here concluded or else to be deemed & declared Enemies as well to the English as to the Indians that do joyn with the L^d Prop^rietor in this Peace

14. That the said Nacōns shall not make any new Peace, with our Enemies And shall not make any new warr without the Consent of the right honble the Lord Propriet^r or his chief Govern^r here.

That from this Day forward there be an Inviolable Peace & amity between the Right hon^ble the Lord Prop^rietary of this Province & the Indians aforenamed upon the Articles before us in this Treaty agreed upon to the World end to endure.

The Marke of × Monattbone for Pascattaway & Sacayo
The Marke of × Amehoick for the Matchecomico of Pascattaway
The Marke of × Choticke Councell^r of Chingwawateick & Pangayo
The Marke of × Wetat for the Matchecomico of Chingwawatieck & Pangayo
The Marke of × Unawcawtanim for Mattawoman
The Marke of × Necutahamōn King of Nangemy
The Marke of × Mawnawzimo for Nangemy

July 20^th 1670 p. 119

Came Monatqund Speaker of Pascattaway, Unacawsey, Wappattanough Councellors of Pascattaway to the Deputy

Lib. R. Liveten^ts^ P: C: & W: C. & said they came to revive the League between the said Pascattaway Indians & the English & first in the name of the Boys next in the name of the elder persons that they might eat, drink, sleepe & play in quiet; the women in like mann^r^ desire the peace, acknowledging the Lord Prop^ry^ for their Lord & Protector. next the old men desire it that they may sleep by their Wives quietly & take their Tobacco: that they had not long p^r^sented any thing & that now they came to keep in memory the Peace, that they are now reduced to a small number & therefore they cannot p^r^sent any thing considerable Lastly from the miserable poor they desire it that herein when their Nacōn may be reduced to nothing perhaps they may not be scorned & chased out of o^r^ Protection.

To which was answered by the Deputy Liveten^ts^ that as they desired to continue in Amity with us so we did assure them that we should not break the Articles made & confirmed by Act of Assembly between the Lord Prop^ry^ & them & that we do hope they will be mindfull & wary to preserve & keep every of the said Articles, and that so long we should not scorn nor cast off the meanest of them

Then was moved by the Deputy Liveten^ts^ to have the Indian that stroke Benjamin Price dd there being great doubt that the said Price dyed of the Blow; To which they replyed that Price dyed not of the Blowe, but was in health twenty daies after, that the said Price was swiming & diveing in Presence of M^r^ Chandelo^rs^ Children of Portobacco & came out of water sick of an Ague & vomitted & of the s^d^ sickness dyed. Whereupon the Dep: L^ts^ desired to speak with the Emp^r^ the last day of Octob^r^ together with his Councell at S^t^ Maries. To which the Speaker answered the Emp^r^ was at the Sasquesahanough, & that it was not in his power to promise he should come; but for cleering the business desired the head might be searched, where upon it is ordered that John Stanesby & John Perce Chirurgeons do view the head upon Munday 8^th^ August & th^t^ Monetquend be p^r^sent & that the Chirurgeons Certify w^t^ their opinions is, touching the Death of the s^d^ Price.

Ordred the Indians 3 Match Coats & 2 Gall: of Drink.

p. 120 At a Councill held at Mattapony the 26^th^ Day of May Anno Dmi 1680:

The R^tt^ Hon^ble^ the Lord Prop^ry^
The Hon^ble^ { Philip Calvert Esq^r^ Chancelo^r^ } P^r^sent
L^tt^ Coll: Henry Darnall
George Talbott Esq^r^

When was ꝑduced and read to the board a Letter from

Coll George Wells to the R^tt^ Hon^ble^ the Lord Prop^ry^ with two others Inclosed from John Waterton and Thomas Richardson directed to said Coll Wells concerning some late disturbances & alarme given p some Indians in Baltemore County, and were altogether inclosed in a Letter from Coll Tailler of Anne Arrundell County; The said severall Letters are as follow in ord^r^ viz. Lib. R.

May the 19^th^ Day 1680:

Noble Cap^t^

This Day came Indians to my house and assaulted my Brother and me, and while they were a strugling with my Brother I shott one of them downe, and they see him fall, and they withdrew and runn away and left a gunn and a sword, and a Bow and arrowes, and a matchcoate, and if we had help speedily Wee might pursue them and meete with them, not else at p^r^sent. I Thomas Richardson

This for Cap^t^ John Waterton
hast post haste.

Coll Wells

Yesterday about noone was an alarme in this River but soe confused that I knew not what to make of it, w^ch^ I conceive was for want of powd^r^ at Sunn sett I recd: this note from Thomas Richardson, for John Bird heareing those gunns, went over the Creeke to see what was the matter, and as he came from Thomas Richardsons he found a greate deale of blood, soe that its thought there is one wounded, the note I recd: about Sunnsett, I went away immediately over the River to raise men, but I found they were all in danger for John Bird had a Dog come home from about his Cowpen shott in one of his Leggs, he heard him barkeing thereabouts a Little before but thought he might Bark at Squirrells soe made noe Accompt thereof untill he came home wounded, ammunic$\bar{o}$n is here much wanted, and in my Judgem^t^ better distributed to housekeepers that may make good the same at Shipping time, then to be kept decaying, I expect you will send some in this time of Danger, else noe man can be expected to march after the Indians or Defend themselves, I am now raiseing men to see if we can find the Indians for if one wounded we may phapps meete with him. p. 121

20^th^ May 1680: John Waterton

These for Coll George Wells
hast post haste for the Countrey Service.

May the 20^th^ 1680:

May it please yo^r^ L^spp^

This Day I recd the within unwellcome papers the w^ch^ I feare bring tydeings of a troublesome Warr, by reason of the

Lib. R. rash unadvised Actions of foolish people, I have sent to give notice to all your L^spps^ Officers within this County to warne yo^r^ L^spps^ people to stand upon their guard in a Defensive manner, but by noe meanes to offer any Offence, and what power M^r^ Waterton does assume to himself I know not sure I am he has none from me to March or to raise men to March neither have I as yett recd: any from yo^r^ L^spp^ to that purpose, but it is like him and those of his Company who are forward to their owne ruine to create an Enemy though weake and unable to withstand him as by the Inclosed to your L^spp^ may appeare, I beseech yo^r^ L^spp^ to send releife if it be but your L^spps^ advice w^ch^ gives life to all our Actions, and without w^ch^ we cannot stand nor moove, the want of Ammunition will be a discouragem^t^ to many familyes of this your L^spps^ County that are both able & willing to purchase if it were to be sold. What yo^r^ L^spp^: has been pleased to entrust in my hands is the greatest part with the Armes ready at yo^r^ L^spps^ Command. The Ill events of this rash unadvised Action I leave to the Consideration of your L^spp^: and as soone as the truth in every respect can be had yo^r^ L^spp^: shall receive Intelligence. I have
p. 122 sent to enquire, hopeing your L^spp^. will pardon my tedious Impertinence I Subscribe as in Duty.

Your Lo^pps^ ffaithfull & Obedient Serv^t^
George Wells

To the R^tt^ Hon^ble^ the Lord Prop^ry^
of the Province of Maryland
These with haste post haste humbly p^r^sent.

Whereas we have had of late a murder perpetrated in Gunnpowd^r^ River and two attempts made on the Inhabitants of Bush River by Indians at every of w^ch^ there has been greate remissness in answering of the Alarm, by the adjacent Neighbours to the encouragem^t^ of the Enemy & trouble to Officers besides makes us slow of motion These are therefore in the name of the R^tt^ Hon^ble^ the Lord Prop^ry^ to will and require or other waies strictly to charge and command all ꝑsons resideing in the County of Baltemore upon pain and perill that shall fall thereon that they fire not above one gunn at a time, and that convenient distance be betweene every Gunn of at least half an hour unless occasion of Alarme happen w^ch^ every one is to make upon the approach of any Indians or fresh Discovery. We as yett not knowing who is our ffriends and who is not, by fireing off three gunns distinctly the one after the other all within the space of a quarter of an hour and all ꝑsons are required as aforesaid to answer the same with one good gunn well charged and he that soe answereth if his neighbour doe not answer him whereby he may judge he heard not the Alarme shall with all speed give

him notice and cause him to renew the s^d^ Alarme again with three gunns as aforesaid and soe to continue it from house to house through out the hundred that all ꝑsons may have notice and the next Comission officer to the house where the Alarme first begann shall with all speed by Land or water with what men he can raise goe to the aforesaid house and enquire the occasion of the Alarme and yeld releife if it be wanting and with all possible speed acquaint the Command^r^ in chiefe of the hundred that he may acquaint the adjacent Hundred and take what further care the Emergency of the affaires require, and all ꝑsons are required to have their Armes and Ammunition in a readiness and to be at an houres warning as the Act of Assembly in that case does provide with provisions necessary. Given und^r^ our hands at our Court house in Baltemore County the 22^th^ of May in the ffourth yeare of the Dominion of the R^tt^ Hon^ble^ Charles &c^a^ Annoq Domini 1679: Lib. R. p. 136

May it please yo^r^ L^spp^:

I have been informed of Late that when M^rs^ Pewey lived at the upper plantations the Northern Indians came to her & gave a present to be sent to y^r^ L^spp^: w^ch^ through ignorance or D'ishonesty was converted to her owne vse also another time the like w^ch^ abuses I am apt to beleive your L^spps^ Province has dearely paid for, and doe beleive if your L^spp^ would be pleased to appoint an Interpreter who should make it his onely business to keepe a fair correspondency betweene your L^spp^ and those Northern Indians it would conduce much to the peace and wellfare of your L^spps^ Province, ffor the prosperity of which and your L^spp^ I pray God and Remaine as in Duty

Yo^r^ L^spps^ ffaithfull & obedient Serv^t^
George Wells.

May the 24^th^ 1680:

Hon^rd^ S^r^

The Inclosed I feare brings bad news to y^r^ L^spp^: Coll Burges and my Self being together this morning supposeing the Inclosed to come from Coll Wells, and knowing the Indians being on their Returne home thought there might be something Concerning the p^r^sent affaires of their Indian Travell, & fearing it soe opened it, & have Immediately dispatched the Post away to y^r^ L^spp^: We have nothing more, all at p^r^sent is well here, but some care must be taken in Baltemore, w^ch^ I conceive must be by sending to Jacob Young that wee may with speed speake with their greate men before the fire blaze out too much, if not I know what must follow an Intestine Warr. Yo^r^ Hon^rs^ most humble Serv^t^ to Com̄and Thomas Tailler

To the R^tt^ Hon^ble^ the L^d^ Prop^ry^
hast post hast for the Countreys
Service. Thomas Tailler.

Lib. R. The Contents of all the foregoing severall Lett^rs being duely weighed and Considered by his L^spp and Councell here this Day it was advised and Concluded of that Ord^rs be sent to Coll Wells requireing him to enquire into the whole matter and fully informe himself of the truth thereof, and certifie the same to his L^spp with all expedition, giveing notice to the Inhabitants both of the said County of Baltemore and also of Cecill County to stand upon their guard defensive not makeing any excursions or marches after or in pursuite of any Indians without speciall ord^rs from his L^spp: That the more weake ffrontire plantations be strengthened by people from other parts of the County where the same is more naturally strong and out of Danger or otherwise by a Supply from Coll
p. 123 William Burges of Anne Arrundell County, to whom likewise ord^rs to be sent Commanding him to afford them assistance upon occasion & notice given him from Coll Wells; That the rash and unadvised ꝓceedings of Capt. Waterton be also strictly examined ꝓ Coll Wells & the truth thereof with what Acco^t he shall be able to give of the same be Certified to his L^spp with all expedition that due regard may be had thereunto; that Armes and Ammunition be sent to Baltemore County to be distributed among the Inhabitants, who are to make good the same in kind at next shipping That Coll Wells be Empowered to press boate and hands to come from thence to Mattapony for conveyance of the Armes & Ammunition to them as afore. That a Letter be writt to Coll Tailler and Coll Burges giveing them to und^rstand how ill their breakeing open his L^spps: Lett^rs hath been resented by his L^spp and his Councill, and requireing them not to presume to doe the like any more. The ord^rs were accordingly issued & Letters sent being as followeth viz.

By the Lord Prop^ry & Councill

May 26^th^ 1680:

Ordered that Coll George Wells of Baltemore County doe by all waies and meanes possible endeavo^r fully & truly to informe himself of the late Rencounter betweene some Indians & some of the Inhabitants of the s^d County of Baltemore, and the true occasion thereof, and that when he hath soe Done he rend^r an Exact Acco^t thereof to his L^spp with all expedition to the End that all necessary care may be taken for the safe guard and Defence of the Inhabitants from any future assaults or attempts that may be made upon them, in the meane time that they stand upon their guard defensive by noe meanes makeing any excursions or marches out after or in pursuite of any Indian whatsoever. And for the better enabling the more weaker ffrontire Plantations to Defend themselves it is also Ordered that Coll George Wells send

them a convenient Supply of Men, Arms and Ammunition Lib. R.
from other parts of the said County more remote and free
from Danger, if any such be, but if the said County of its self
shall not be capable of Supplying one part with Another as
aforesaid, then the s^d^ Coll. George Wells is to apply himself
by Lett^r^ or otherwise to Coll William Burges of Anne p. 124
Arrundell County for assistance, and of him to make Demand
of a Convenient number of men, as may suite the Occasion,
who upon notice given him p said Coll Wells hath ord^r^ to
Supply him, And Whereas Cap^t^ John Waterton hath raised a
party of Men to march after the Indians without any ord^rs^
from his L^spp^ or his superio^r^ Officer for soe Doeing. It is
further ord^r^ed that the said Coll George Wells forthwith
cause to come before him the s^d^ Cap^t^ John Waterton, and of
him Demand an Acco^t^ of such his rash and unadvised pro-
ceedings, and by what power & Authority he hath soe Done,
and that what answer the s^d^ Waterton shall make to such
Demand be forthwith Signified to his L^spp^: to the End that the
same may be Duely inquired into, and considered off and
that all Officers or others whatsoever within the s^d^ County
doe for the future forbeare to make any excursions or march
out after any Indians upon any occasion w^t^soever without
especiall ord^r^ and Command from his L^spp^: or other pson or
persons thereunto Authorised and appointed, upon pain and
perill of his L^spps^ Displeasure. And further the said Coll
George Wells is hereby ord^r^ed to give notice to the Inhabi-
tants of Cæcill County (who are in a like Danger) that they
also stand upon their guard in manner and forme as is before
Specified. Ordered also that armes powd^r^ and shott be sent
into Baltemore County to Coll George Wells by him to be
distributed amongst the Inhabitants takeing an Exact Acco^t^
thereof how and to whom disposed, to the End that the same
may be reimbursed by each pticular pson into his L^spps^ Maga-
zine the next Shipping

Signed p ord^r^ JLl. Col. Consil.

By the Lord Prop^ry^ & Councill

May 26th 1680 } You are hereby Authorised and Empowered to press
Boate & hands to come from your County to Matta-
pony in Pottuxen River there to receive out of his L^spps^ Maga-
zine a Convenient Supply of Armes and Ammunition for the
Defence and Security of the Inhabitants of your said County
to be Distributed among them at your Discretion w^ch^ they
are again to make good to his L^spps^ Magazine the next yeare
in kind.

Signed p ord^r^
JLl. Cl. Consil.

To Coll. George Wells of Baltemore
County. This.

Lib. R.

By the Lord Prop^{ry} & Councill

May 26th 1680 Whereas Divers fforreigne Indians have lately made some Incursions into Baltemore County, and have assaulted severall the Inhabitants there to the greate terro^{r} and amazem^{t} of all the said Inhabitants, who are but a small number and unable to Defend themselves if any greate attempt should be made upon them; It is therefore ordered that at what time soever Coll George Wells Command^{r} in Chiefe of all his L^{spps} ffoote Militia in s^{d} County shall have occasion to apply himself to you Coll William Burges for Assistance you forthwith Supply him with such a number of able men out of your County and Regiment as he shall Desire, and the occasion may require. Whereof you are not to faile.

Signed p ord^{r}
JLl. Cl Consil

To Coll W^{m} Burges Command^{r} in Chiefe of all his L^{spps} ffoote militia in Anne Arrundell County

These

Mattapony May 26th 1680.

Coll George Wells

S^{r} Yours of the 20th instant with other Papers Inclosed from Cap^{t} Waterton and Thomas Richardson I recd: relateing all to the late unwellcome Rencounter with the Indians, for your care in adviseing I give you thankes, but cann make nothing of the others from Waterton and Richardson, the former of whom hath soe rashly and unadvisedly pceeded that I cannot but highly resent, and therefore Desire y^{u} to Demand of him an Accompt by what Power he hath soe Done accordingly as you are directed by the Inclosed ord^{r} of Councill w^{ch} will be y^{r} further guide in the managem^{t} of affaires at p^{r}sent as they now stand, w^{ch} pray follow and observe, I have likewise sent you power to press Boate and hands to come down to Mattapony and to convey to you some supplyes of Armes and Ammunition for Defence of your County, the same you are to Distribute among the Inhabitants & take a particular Acco^{t} thereof and to whom disposed that they may reimburse
p. 126 my Magazine with the like quantity of each the next Shipping for what else Concerns y^{r} p^{r}sent Condition I referr you to the said Inclosed ord^{r} of Councill desireing you upon all occasions to advise

Yo^{r} Loveing ffriend
C: Baltemore

The armes mentioned in the ord^{r} of Councill to be distributed amongst the Inhabitants is onely intended to such as stand in need for the Defence of their house & to be accomptable to y^{u} for the same.

Mattapony 26th 1680: Lib. R.

Gentn

This serves to advise of the Receipt of Coll Taylors Letter of the 24th instant with the Inclosed from Coll George Wells directed to his Lspp: and this Day produced and read in Councill, by whose ordr this may give you both to undrstand that your proceedings therein & breakeing open the said Letter from Coll Wells hath been noe waies approoved off by his Lspp: and his Councill who conceive themselves most neerely concerned and ought to have the first peruseall, Wherefore for the future you are Desired to give all speedy Conveyance to all publick Lettrs without adventuring to breake any open without ordrs as you have done this, but that you give way to his Lspp: and his Councill (who are to give ordrs in all publick affaires) to have the first view and insight into the Letters and Papers thereunto relateing. Whereof you are to take due Cognizance. Signed p ordr

To Thomas Tailler Esqr and J Ll: Cl Consil
Coll Wm Burges of Anne Arrundell County
These.

At a Councill held at Battle Towne at the house of Michael Tawny the first Day of June Anno. 1680.

The Hon^ble { The Rtt Hon^ble the Lord Propry; Philip Calvert Esqr Chancelor; Ltt Coll Henry Darnall } Prsent

At wch place his Lspp: recd: a Lettr from Captn Randolph Brandt of Charles County the contents whereof are as followeth viz.

Rtt Hon^ble

In obedience to yor Lspps Commands of the 23th instant have communicated the Last ordr of Councill both to the Emperor and greate men of Pascattoway as also to the King and greate men of Mattawoman, Mr John Stone appointed to conferr p. 127 with them, doe say that the Mattawomans will not remoove but will Defend their Interest to their utmost power, and when they can hold out noe longer, they will thrust themselves amongst the English; they alsoe say they are become Enemies to the Susquehannohs and all other Indians through our meanes and for that reason will not leave us; They are also much concerned for their Indian killed at Capt Aspinolls, what they alleadge is that a boate arrived out of Virginia at said Aspinolls with some liquor & other goods, whereupon the said Aspinoll gave notice to the King of Mattawoman

Lib. R. who gave leave to some of his Indians to goe thither: and after some dealeings betweene them they Conclude the English killed the Indian. He prooves to be a brother of Azazamus, his head, one Arme, and both his Leggs cut off, and his body much burnt; they cannot informe me who did it, but they seeme to blame Cap^{t} Aspinoll, the persons in the boate was Thomas Attoway of Aquaia, and a M^{r}chant that keepes store thereabouts: I have promised to give y^{r} L^{spp} a ꝑticular Acco^{t} thereof as soone as I cann speake with Cap^{t} Aspinoll haveing sent twice for him but more especially have requested him to give me a meeteing on Saturday next, at w^{ch} time shall have the Pascattoways Result for that they could not conclude of their remooveing till such time they conferred with all their Indians; I begg yo^{r} L^{spps} pardon for not sending this Dispatch sooner chiefly occasioned by the delay of the Pascattoways and for want of the information of Cap^{t} Aspinoll; this Day came a man from Coll Darnalls upper plantation by the way of Pascattoway and reports that the Indians had deserted the ffort, and that he saw a greate number of strange Indians at some distance from the ffort dressing a horse they had killed; he spoke to them in Indian but they made noe answer, this I have from severall good housekeepers of Portobacco but the ꝑson is returned home; as yett can heare nothing from our Indians; The Mattawoman king alledgeth the Eastern Shore Indians are as much their Enemies as the Susquehannohs occasioned by their goeing wth us against the Nantecokes about two yeares since, they alsoe alleadged by their goeing thither they should be dispossessed of their Lands, and that the English would seate the same, but in answer to that gave them to und^{r}stand your L^{spp}: did it onely for their Security untill a firme peace could be made for them, and that the English should not come on their Lands to settle, I am apt to beleive they have some English man for their Councill I shall vse my utmost endeavour to find them out and give y^{r} Lord^{sp} Acco^{t} thereof: I Doubt Munns is not soe honest as he should be. Since the foregoing have spoke with Cap^{t} Aspinoll who seemes to owne nothing of the murd^{r} of the Indians Munns will und^{r}take to find it out if your L^{spp} send a
p. 128 power. The Pascattoway Indians are not willing to remoove to the Eastern Shore, but will rather goe for Chopticoe if with yo^{r} L^{spps} Likeing they taske us about the last Articles of peace. My due obedience p^{r}sented

Subscribe Ever
Yo^{r} L^{spps} ffaithfull Serv^{tt}
Rand^{o} Brandt.

Charles County May 29th
1680:

Whereupon issued from his L^spp^: these following ord^rs^ viz. Lib. R.

John Munns

Being credibly informed that there is lately killed in the upper parts of Charles County (where you are an Inhabitant) an Indian belonging to the Empero^r^ of Pascattoway, and highly suspected to be done ꝑ some English either of the Collony of Virg^a^ or this Province contrary to our Articles concluded w^th^ the s^d^ Indians, the p^r^servation whereof as we doe expect on their parts soe it is but just that wee should also observe and keepe them on ours. We being willing therefore to that end and purpose to be rightly informed thereof have thought fitt to Authorise and empower and wee doe hereby Authorise and Empower as also strictly charge and Command you John Munns of the said County thoroughly to examine and make inquiry into the whole matter, when, where, & in what manner the said Indian was killed, and by whom if possibly by any meanes you can effect the same, an Exact Acco^t^ whereof you are to certifie und^r^ your hand or bring the same yo^r^ Self unto us at our house at Mattapony in Pottuxent River w^th^ all expedition, to the end that such due course may be taken as our Self and Councill shall think fitt and as ought to be done therein. Whereof you are not to faile. Given und^r^ our hand the first Day of June in the ffifth yeare of our Dominion &c. Annoq Dmi. 1680

C: Baltemore

Cap^t^ Aspinoll

You are hereby willed and required forthwith upon sight hereof to make all quick dispatch downe to Mattapony there duely to answer and true and right information make unto such matters and thinges as by our Self and our Councill shall be thought fitt to be offered and proposed unto you, whereof you are not to faile. Given und^r^ our hand the first Day of June in the ffifth yeare of our Dominion &c^a^ Annoq Dmi. 1680.

C: Baltemore

Cap^t^ Brandt: p. 129

Yours of the 29^th^ of last moneth I recd: ꝑ James Smallwood, and here inclosed returne you an ord^r^ to Cap^t^ Aspinoll to come before the Councill at Mattapony with all expedition, and likewise another ord^r^ to John Munns to make Inquiry into the murd^r^ of that Indian in those parts, w^ch^ I am very willing to be rightly informed off; That ord^r^ to Cap^t^ Aspinoll forward to him without delay, and when you shall certainly und^r^stand that he is upon his Journey downe, then and not before th^n^ are to convey that other to Munns with all speed; This is what at p^r^sent is thought needfull by

June 1^st^ 1680. Yo^r^ Lo: ffriend

C: Baltemore

Lib. R. To w^ch^ Letter was added a Postscript requireing Cap^t^ Brandt to examine Henry Hawkins touching some discourse he had had with Thomas Alcock (as his L^spp^ was informed) relateing to the murd^r^ of the Indian.

At a Councill held at Mattapony Sewall the nineth Day of June in the 5^th^ yeare of the Dominion of the R^tt^ Hon^ble^ Charles &c^a^ Annoq Dmi. 1680:

The Hon^ble^ { The R^tt^ Hon^ble^ the Lord Prop^ry^ / Philip Calvert Esq^r^ Chancelo^r^ / L^tt^ Coll Henry Darnall / George Talbott Esq^r^ } P^r^esent

Then conveened upon Receipt of a Letter from Cap^t^ Randolph Brandt of Charles County together with a note from John Munns of the same County relateing to the Pascattoway Indians and are as foll. viz.

R^tt^ Hon^ble^

Your L^spps^ Commands of the first instant have sent forward to Cap^t^ Aspinall, whom I und^r^stand was on his Journey before the other ord^r^ was sent John Munns. Inclosed have sent your L^spp^ Munns ꝓceedings relateing to the murd^r^ of the Indian which is all that cann be discovered at p^r^sent; I shall vse my utmost endeavo^r^ to make what Inquiry I cann, and give acco^t^ thereof if any thing worth your L^spps^ notice, I have duely examined M^r^ Hawkins as to what Thomas Alcock told him, butt cannot discover any thing of the murd^r^ it lies betweene Aspinalls ffamily Alcocks, and the ꝑsons in the Virginia Boate.

I und^r^stand by James Smallwood your L^spp^ is not fully Satisfied with what I formerly wrote concerning the answer of the Pascattoways, they are very Desirous to remoove to Choptico if with yo^r^ L^spps^ leave, w^ch^ was there request at our last meeteing in the p^r^sence of M^r^ William Chandler, w^ch^ I did signifye to your L^spp^: and promised them your L^spps^ answer in four Daies, if I have made any mistake in that ꝑticular I humbly begg your L^spps^ pardon; I suppose the greate men had been downe ere this, but I heare the Susquehannohs and Sinniquos have been fowle of them on ffriday last and have killed seaven of their men, This Information I have from one James Jefferson that came from the ffort and brought a horse from thence lately shott with an arrow. I have nothing else but the rep^r^sentation of my due obedience Subscribe

Charles County June the 8^th^ 1680: Yo^r^ L^spps^ ffaithfull Serv^tt^ Rand^o^ Brandt.

The Indians are willing to remoove either to Mattawoman Choptico or Zachaiah as your L^spp^ shall appoint. Lib. R.

According to yo^r^ L^spps^ ord^r^ I have proceeded with all exactness and security that lay in my power; about the Sixteenth Day of May here was a Virginia Boate a tradeing with the Indians and then about that time this Indian man was missed, about tenn Daies after he was found dead by the Captains Landing that is to say Cap^t^ Aspinolls, I have inquired of Thomas Alcock which is a Liver by the Captains, and he doth say that the Indian was at his house that Day to borrow a bottle, and he went from his house towards the Captains house again. The Examination of the people that liveth at Cap^t^ Aspinolls and their Confession, one of the Servants called by the name of Thomas Ward doth say that the very Indian that is lost went that Day as the boate was tradeing at his Masters Landing toward Thomas Alcocks house. M^rs^ Aspinall doth declare one of her Servants was at the next house a Drinking all that night, and likewise a free man that liveth at her house and a Virginia Inhabiter was that very night was drinking at the same house as her Servant was Drinking the free man is poore people, and the Virginians name is Thomas Hattaway, w^ch^ is all from his p. 131

John × Munn
mark

Upon Consideration had of the Pascattoway Indians desire to remoove either to Mattawoman Choptico or Zachaia according to the teno^r^ of Capt Brandts Letter foregoeing, it was advised and concluded on by his L^spp^ and his Councill now p^r^sent that Zachaia is the most proper place for the said Indians at p^r^sent to remoove themselves their wives and Children to untill such time as his L^spp^ can come to some treaty with the Senniquos and Susquehannohs and make some tearmes of Agreem^t^ with them both for the said Pascattoway and other our neighbour and ffriend Indians thereby to remoove from them all future feares and apprehensions of Danger they now lye und^r^—Zachaia therefore is the place appointed as aforesaid for the said Indians to retire unto, and Capt^a^ Randolph Brandt ord^r^ed to advise them that such is his L^spps^ will and pleasure.

By the Lord Prop^ry^ & Councill

June 9th 1680 } fforasmuch as the Emperour and great men of Pascattoway and other the Indians und^r^ his Subjection haveing great feares and jealousies of the Sinniquo and Sus-

Lib. R. quehannoh Indians their ꝑfessed Enemies have sollicited his L^spp for leave to remoove (for their better security) from the ffort where they now live either to Mattawoman, Choptico, or Zachaia, His L^spp and his Councill (haveing taken the same into their serious Consideration, & willing to gratifie the request of the said Indians) Doe say and Declare and it is hereby ord^red:

That the said Pascattoway Indians have free leave and liberty with their Wives and Children for the p^rsent to remoove to Zachaia and there to seate themselves und^r such ffortifications as they shall think fitt to Erect for their Safe guard and Defence untill such time as his L^spp can have an oportunity to treate with the said Senniquo Indians and with them compose some tearmes of Agreem^t and Conclude a firm peace as well for the said Pascattoways as all other Indians in league and Amity with him, thereby to remoove from them all further feares or apprehensions of Dangers. And Cap^t
p. 132 Randolph Brandt of Charles County is hereby ord^red to Communicate this ord^r of Councill to the said Pascattoway Indians with all expedition possible Signed ꝑ ord^r

J Ll. Cl Consil.

W^ch ord^r of Councill was Inclosed in a Letter from his L^spp: to Cap^t Brandt being as foll. viz.

Cap^t Brandt

Yours of yesterday ꝑ James Smallwood I recd: and have Consulted the Councill about the request of the Pascattoway Indians to remoove either to Mattawoman, Choptico or Zachaiah w^ch last mentioned place We have thought fitt to pitch upon as the most proper at this time, and therefore Inclosed send you the result of the Councill to that purpose, w^ch you are to communicate to them with all expedition, I would have you endeavo^r to gett a sight of the Articles made with those Indians now in their custody, and take due cognizance of every ꝑticular Article soe as to rend^r me an Exact Acc^t of their Contents, and also learne from them if possibly you cann whither they have since recd: any Addition or confirmation of them, and (if soe) that you alsoe endeavo^r to gett a sight of them, and signifie your ꝓceedings herein with all convenient speed to Yo^r Lo: ffriend

June 9^th 1680: C: Baltemore

You are to advise the Indians that if they leave their old ffort it will be but discretion in them to Demolish it and not suffer it to stand for the Enemy to Enter.

Memorandu: that on the 16th Day of June Anno 1680: His Lib. R.
Lspp: the Rtt Honble the Lord Propry haveing recd: severall Letters and papers from Baltemore County communicated the same to the Honble Philip Calvert Esqr Chancelor at the State house at the City of St Maries, the Contents whereof are as foll. viz.

June the 4th 1680:

May it please Yor Lspp: p. 133

Yor Lspps of the 28th of May by Mr Jacob Jenifer I recd: with twenty five musketts and a Cask of powdr the contents as yett I know not, also four Runletts of Shott, twenty musketts I recd. the last yeare ꝑ the hand of Mr James Philips in all fourty five. Yor Lspps: ordr of Councill I recd: the first of this Instant, and in ordr thereunto have examined Thomas Richardson and others, and have Inclosed sent yr Lspp: the same, also have called Capt John Waterton before me who hath with his owne hand writt the reasons wch I beseech your Lspp: to accept and to pass by what was amiss, for he doth further say that he had noe knowledge of the Sinnequo Troopes being downe, and being but four of them did conclude it was those sculking rogues that did the mischiefe the last yeare, which I still think they bee, and although they did march without ordr it was but to the releife of those who had for fear deserted their houses, and what Indians were Discovered escaped their hands without any harme onely leaveing their packs, and doth promise for the future to be more carefull to observe your Lspps ordrs and not to moove without yor Lspps or his Superior Officers Command. I have endeavoured to informe myself by all waies and meanes what Indians they were butt it is as yett unknowne, but am of opinion that it is some Susquehannohs fled from the Sinniquo Army and happily it may be those that did the mischief for the severall before goeing yeares in the same River. It does not appeare to be the Sinniquos as I feared at first for the house lyes a greate way from their roade in a neck; I have spoke with Jacob Young who has promised to inquire by all meanes what Indians they are, and it is his opinion that the Sinniquo Troopes will be downe againe about July or August, and that if your Lspp: will be pleased to employ some person that undrstands the language with a small party of horse to scout Mr Anthony Demondidiers whose house lyes neere their roade that your Lspp might happily thereby come to speech of them and by that meanes prevent much their makeing inroades thus into yr Lspps Province, Jacob Young I presume will be the man, and will be sworne as is vsuall for Interpreters to be. This with my humble Service to yr Lspp with all humility and obedience is all from

Yor Lspps ffaithfull Servant
George Wells.

Lib. R. June the 1: 1680.

Maryland ss.

The Acco[t] of Thomas Richardson and others concerning the late rencounter w[th] the Indians on the 19[th] May 1680: at the head of Gunpowder River (viz.)

p. 134 The said Thomas Richardson was satt in his house and his Brother Lawrence was within the Doore, and an Indian entred the house & endeav[r]ed to pull his brother downe by the head, the said Thomas beholding wishly perceived it to be an Indian painted, at w[ch] he tooke downe his Gunn and seeing more entring the house fired at the second, but his gunn not goeing of readily, the Indian spoke earnestly and runn in, and the third Indian approached the Doore as the gunn fired and was wounded and fell, the fourth came up, the first slipp'd his hold of Lawrence Richardson and with the fourth carried off the third, The second had Thomas Richardson by the haire and drew him to the Doore before he could gett cleare of him, when the Indians hold slipp'd he runn but had lett fall his gunn in the scuffle, w[ch] the said Richardson tooke up and fired after him as he runn, his Brother Lawrence fired at the said Indian also, but could not ꝑceive that he was wounded. John Bird who lived two miles off come heareing the gunns & carried a note towards Cap[t] Watertons, in the meane time as is supposed the Indians came neare to John Birds and shott a Dogg in the legg with an arrow; the next Day being the 20[th] May Capt. Waterton with those men he had raised marched from James Dentons to John Birds and soe towards Thomas Richardsons, and meeteing Thomas Richardson and others in the woods lookeing after the Indians informed the said Cap[t] that their neighbours Cattle were disturbed that morning whereupon they directed their march towards the ffrontire plantations neere w[ch] they saw two Indians takeing up their packs, but when discovered fled and left their Packs, in w[ch] was found tobaccos that was that Day taken out of a hhd at Thomas Richardsons, and the parts of a hogg killed the same Day; the next Day the 21[th] the Cap[t] went with his men to the ffrontire Plantations, and finding all things well returned leaveing the people at their plantations where they have remained ever since without any molestations.

examined ꝑ me George Wells.

By vertue of an ord[r] to Coll Wells to summon me before him, I appeared at his summons, he requireing an Acco[t] of my raiseing men to goe after the Indians, I Doe declare that it was by vertue of an ord[r] made formerly by a Councill of Officers wherein the s[d] Coll was present that upon any Alarm we should raise men and goe to their Assistance w[ch] the said

Coll Wells sent downe to his L^{spp}: and it was approoved of by him and noe waies countermanded; I had noe reason but to observe it also, thereupon there have been severall parties that have ranged and marched out w^{ch} have been allowed off and noe waies contradicted. I hope I have committed noe offence in marching to the assistance of the Distressed, and placeing those in their plantations that were fled Lib. R.

John Waterton

June the 10th 1680:

May it Please

Yo^{r} L^{spp}: This Day I recd: a Letter from Majo^{r} Long that informes me that upon the view of the Inhabitants of Potapscoe hundred he finds them very weeke, and not able to assist one another, the strongest ffamilies being but weake & Desires tenn or twelve men to be raised to strengthen the ffrontires to keepe them from deserting and in obedience to y^{r} L^{spps} ord^{r} I have sent to Coll W^{m} Burges for the same Quantity being not able to raise them noe part of this County, but doe hope that we shall not neede noe more unless an open warr does breake out w^{ch} God forbid; I have also given notice to the Inhabitants of Cæcill County as yo^{r} L^{spp}: ordered me, and have now found the ord^{r} w^{ch} M^{r} Waterton reflects upon in his answer, a Coppy whereof I sent y^{r} L^{spp}: the last yeare, w^{ch} yo^{r} L^{spp} approoved off, least it may not be ready at hand I have Inclosed sent y^{r} L^{spp} another Coppy that it may appeare how close M^{r} Waterton kept to his ord^{rs} the men that marched und^{r} his Command were not ashamed to owne that they would ha' killed any Indians that they mett withall be they what they would, and because the Instructions I sent him did not please him he Incensed the people against me insoemuch that when they heard I by your L^{spps} ord^{r} had called him before me, they were disturbed and said it were better I had not Done it as I am now informed by M^{r} Jacob Jenifer, his Evill nature is such that unless yo^{r} L^{spp} will be pleased to putt him out of all Office wherein I am Hon^{red} in serveing y^{r} L^{spp} I must begg that yo^{r} L^{spp} in favour will putt out me, for he has his parties at Court and else where that sayes they will stand by him with their bloods what the meaneing is I know not, but this two of y^{r} L^{spps} Justices heard one say and severall others have not been ashamed to affront y^{r} L^{spps} Justices in Court and at Court time and never reprooved by him though p^{r}sent, if your L^{spps} doubts of the truth of it be pleased to Inquire of Majo^{r} Long and M^{r} Miles Gibson who are Eye Witness. The powd^{r} I have weighed and Cask and all it weighs two hundred & Seaventy p^{ds} and the four Rundletts of shott weighs 58 & 59 one with the other Cask and all, I have sent p. 137

Lib. R. Majo^{r} Long at request armes and Ammunition for to Supply the necessities of the Inhabitants of the Lower parts of this County with Instructions how to dispose of it according to ord^{r} Wee have been all quiett blessed be God ever since that accident at Thomas Richardsons and have not as yett heard what people they were I have ordered Thomas Richardson to keepe the Gunn arrows and sword till y^{r} L^{spps} pleasure be knowne what shall be done with them ; This with the constant tender of my humble Service to your L^{spp} is at p^{r}sent all from

Yo^{r} Ls^{pps} ffaithfull Servant in all humility & obedience
Geo: Wells

June the 14th 1680:

Honrd S^{r}

This Day Coll Burges was with me, and Acquaints me that he recd: a Letter last night Accompanied with these two Inclosed from Coll George Wells, the Contents of w^{ch} Letter he saieth is in pursuance of his Instructions from y^{r} L^{spp} that if occasion required he should acquaint Coll Burges, and that he should take care to supply him, all w^{ch} Coll Burges hath observed and expeditiously ꝑformed, the quantity of men and armes are twelve required for the secureing the ffrontire plantations of Patapscoe, to morrow morning the men marches, the occasion of this comes by some Information Coll Wells hath recd: of the Sinniquo comeing downe Coll Burges tells me he hath noe ord^{r} to lett any of those Armes comitted to his care and charge for the secureing of this County be sent out for the Supply of Another, but Considering of his Last ord^{rs} he hopes it may not be thought amiss, knowing also they are Imployed for that purpose your L^{spp} intended them It is Considered that with y^{r} L^{spps} Consent a publick Post be appointed in this exigent of affaires, and that we may not have upon such emergent occasions a messenger to seeke, ffor good and expeditious Intelligence oftentimes prevents many Inconveniences and also produceth good effect. My Lord the good people yo^{r} L^{spps} good ffriends have daily expectations of enjoying yo^{r} L^{spps} good Company wth your Noble Lady, and in ꝑticular W B and

Your L^{spps} humble Serv^{tt} to Command
Thomas Tailler

p. 138 Upon mature Consideration of the severall foregoing Letters and Papers had it was resolved by his L^{spp} and the Hon^{ble} the Chancelo^{r} onely then p^{r}sent that a Letter be writt to Coll George Wells and another to Cap^{t} John Waterton, requireing them both to a mutuall agreem^{t} and faire Correspondency in

their severall and respective Stations and Offices the present Condition and the future peace and wellfare of their County depending thereupon W^ch^ was accordingly Done in the words foll. (viz:) Lib. R.

Coll George Wells

Wee have recd: Divers Lrēs from you upon severall occasions within these Six moneths, and in them all we have discovered greate Animosityes between you and Cap^t^ Jn^o^ Waterton At this time we are resolved not to looke into the cause of these Differences, but rather to endeavo^r^ to ꝑswade you to shake hands and agree in the prosecution of the publick good, Remember y^r^ County hath intrusted you as Delegates in the Assembly. My Lord hath made you Justices of the Peace in y^r^ County, and trusted the Militia in y^r^ respective Degrees into y^r^ hands, and this onely that you may secure the publick peace. If you cannot kēepe peace with one the other, Wee have good cause to feare you will not long have due regard to the publick, and that in the heate of y^r^ passions you will forgett y^r^ ord^rs^ and Instructions from My Lord and us, and then the publick ruine will force us and the Assembly to call you to Acco^t^ Men in publick Employments must Sacrifice their private Ends to the publick good, and must have noe love nor hate but for the ffriends or Enemies to the publick peace. The first thing we expect therefore to heare from you is your ꝑfect Reconciliation that we may have a well grounded hope of the peace of y^r^ County w^ch^ by y^r^ Differences is in a tottering Condition, and then the next thing you will hear from us will be the necessary ord^rs^ in reference to the future security of y^r^ County and the whole Province by speaking with the Northern Indians at Demondidiers or Jacob Youngs. Signed ꝑ ord^r^

J Llewellin Cl Consil.

June 16^th^ 1680:

The like Letter verbatim mutatis mutandis was also writt to Cap^t^ John Waterton at the same time. As also a Letter to Coll Tailler certifieing the rec^t^ of his and ordering him to appoint a Post in Anne Arrundell County viz.

June 16^th^ 1680:

Coll Tailler p. 139

Yours of the 14^th^ instant came safe to hand, together with the Inclosed Packett from Baltemore County for y^r^ care therein I thank you and Desire you to Advise Coll Burges that when the men w^ch^ he sent thither doe returne he would take care that the Armes also sent with them be Safely

Lib. R. restored; ffor the conveyance of all publick Letters and Intelligence you may appoint a Post w^ch^ shall be approoved of by Your very assured ffriend
C: Baltemore

Tuesday the 29^th^ instant Councill to sitt at S^t^ Maries upon matters relateing to Land. from whence they adjourne to Mattapony the same Day.

At a Councill held at Mattapony the 29^th^ Day of June Anno 1680:

The R^tt^ Hon^ble^ the Lord Prop^ry^
The Hon^ble^ { Philip Calvert Esq^r^ Chancelo^r^ / W^m^ Calvert Esq^r^ Secry / L^tt^ Coll. Henry Darnall / Cap^t^ W^m^ Digges } P^r^sent

Then taken into Consideration the Teno^r^ of Coll Wells Letter of the 4^th^ instant to his L^spp^ adviseing that the Sinniquo Troopes intend downe about July or August.

Proposed by his L^spp^ to his Councill whither or noe it might be Convenient to endeavo^r^ to speake with the said Indians and treate with them touching the late league made with them in ord^r^ to prevent their makeing any Incursions upon the ffrontire Plantations that lye in their roade, what meanes were fitt to be vsed for that purpose and who they looked upon as the most proper man to be Employed therein.

Upon mature Deliberation and Consultation whereof had it was Concluded and Advised to be very materiall and necessary to speake and have Conference with the said Indians in their march downe, and that Jacob Young being a ꝑson that und^r^stands well the language of the said Indians is the fittest man they cann think to propose to his L^spp^ for that purpose. It was therefore ordered that the said Jacob Young be accord-
p. 140 ingly Employed with power and Authority from this Board to lye in waite at or neere the house of M^r^ Anthony Demondidier or else where in their way downe, and by all meanes possible endeav^r^ to speake with them and lett them know that his L^spp^ had a greate Desire to see and conferr with some of their greate men touching their league with us in ord^r^ to renew and Confirme the Articles betweene us and to that End and purpose would give them a meeteing in Anne Arrund^ll^ County whither (if they consented) Jacob Young was to Accompany them downe and apply himself to Coll W^m^ Burges who should be required immediately to give notice of their arrivall to his L^spp^ and his Councell with all expedition possible, And that the said Indians should be assured of a Safe Conduct backwards and forwards.

Which result of his L^spp and Councill was accordingly drawne up into an ord^r and transmitted to Coll Wells for Conveyance to Jacob Young for his Instructions. viz. Lib. R.

June 29th 1680 } By the Lord Prop^ry & Councill

Whereas his L^spp is credibly informed that the Sinniquo Indians intend to march downe with their Troopes about the moneths of July or Aug^t next but upon what Designe is not knowne, And being Desirous to come to a right und^rstanding with the said Indians thereby to remoove (if possible) all feares and Jealousies from the Inhabitants of this Province by reason of any Inroades or Incursions that may otherwise be made by the said Indians (in their march) upon the ffrontire plantations. His L^spp by and with the advice and Consent of his Councill willing to treate with the s^d Indians and to renew the Articles of peace last made with them hath Ordered.

That Jacob Young of Cæcill County (und^rstanding the language spoken by the said Indians) be Authorised and Empowered and he is hereby Authorised and Empowered (at what time he shall be certainly informed that the said Indians may upon their march) to lye in waite at or neere the house of M^r Anthony Demondidier or else where in their road and endeavo^r to speake with the said Indians, and lett them know that his L^spp the Lord Prop^ry of this Province is very Desirous to see and speake with some of their greate men, And in ord^r thereunto hath Empowered him the said p. 141
Jacob Young to apply himself unto them to assure them of the great Desire his L^spp hath to continue peace and Amity with them & likewise to have some Conference with them touching their last league and the Articles thereof thereby to renew and Confirme the same, And to that end will give them a meeteing in Anne Arrundell County whither and in their returne back they shall be assured of a Safe Conduct and civill treatement, at what time they shall appoint to come, Wherein the said Jacob Young is to vse his utmost endeavo^r And if they shall Consent thereunto He is also to accompany them downe, and to take care that they be civilly treated in their Journey, and to apply himself to Coll William Burges who is also required to give speedy Intelligence thereof to his L^spp and Councill, To the End that his L^spp and his Councill may give them a meeteing in ord^r to corroborate the former peace and preserve a future good Correspondency with them w^ch will highly conduce to the good and wellfare of the Province. Wherefore the said Jacob Young is Desired and required hereof not to faile but to vse his utmost endeavour by all faire waies and meanes Imaginable to pswade them to

Lib. R. this Conference, in confidence that he shall be Sufficiently gratified for soe Doeing Signed p ordr
J Ll. Cl Consil.

Thomas Jones of Bush River in Baltemore County haveing been rendred unto his Lspp and Councell a Dangerous and contemptuous pson for dealeing and tradeing with Indians affording them Supplyes of powder and shott &ca contrary to Act of Assembly obstinately and peremptorily psisting therein notwithstanding he hath been otherwise advised & rebuked both by the Commissrs of the said County and others, The foll ordr was Directed to the said Commissrs strictly to examine & enquire into the truth of the matter and upon due proofe of what is alleadged against him or other just grounds that they bind him to his good behaviour with good security and to appeare at the next Provll Court to answer the prmisses and that their pceedings herein they signifie to his Lspp & Councill with all expedition viz.

By the Lord Propry & Councill

June 29th 1680: } Whereas Complaint hath been made to his Lspp agt Thomas Jones of Bush River in Baltemore County for that he doth frequently trade and Deale with the Indians without lycense Supplyeing them with powdr shot &ca
p. 142 contrary to the Act of Assembly of this Province in that case made and Provided, to the greate trouble and disquiett of others the good People Inhabitants of this Province, He peremptorily Declareing that he will soe doe notwithstanding several Admonitions of same to the Contrary and the sevare checks and threats of complaint from others if he continued soe Doeing all wch is of Dangerous Consequence wherefore to prevent the same for the future— Ordered.

That the Commissrs of the said County Court doe forthwith upon Receipt hereof in the name of the Rtt Honble the Ld Propry summon before them the said Thomas Jones, and him strictly examine and make due inquiry into the truth of such his pceedings, and if upon Examination and such inquiry made as aforesaid it shall appeare that the said Jones hath accordingly acted as is alleadged against him or otherwise upon good grounds that the sd Jones hath illegally traded and dealt with any Indian contrary to Act of Assembly as by the said Complaint hath been sett forth, then they are to bind the said Jones to his good behaviour takeing good security for the same and for his appeareance at the next Provll Court further to answer the prmisses. An Exact Acct whereof the sd Com-

missrs undr their hands or attested by their Clark are to transmitt to his Lspp and Councill with all connvenient speed. Lib. R.

To the Comissrs of Baltemore County Court

Signed p ordr
J Ll Cl Consl.

This

Coppy of The ordr directed to Jacob Young was also Inclosed in a Letter to Coll William Burges p ordr of this board, viz.

Coll Burges

Sr Inclosed is Coppy of an ordr of Councill to Jacob Young concerning a Conference with the Sinniquo Indians desired by his Lspp to be had in yr County he being to apply himself to yu upon their comeing downe to give speedy advice thereof to his Lspp and Councill as by the said ordr you will pceive, wch I was commanded to transmitt to yu for yr regulation therein, it being the ordr of his Lspp & Councill to

Sr Yr humble Servtt

July 6th 1680

J Ll

His Lspp at the same time also Communicated a Letter he lately recd: from Capta Brandt wch was read and is as foll: viz p. 143

Rtt Honble

Your Lspps Commands of the 22th instant shall observe as relateing to the Lands about Pascattoway.

I have had severall meeteings with the Indians concerning the last Articles of peace in hopes to have sent yr Lspp a Breviat of thm but cannot find any they have, I have had a sight of all their Papers but not one tending thereto. The King of Mattawoman shews me a meddall in token of your Lspps ffriendshipp to him, he beginns now to be in feare of the Susquehannohs and Sinniquo and prtends want of Armes and Ammunition, he intends speedily to make his addresses to your Lspp. I have this Day received Intelligence from Thomas Baker that the Pascattoway Indians sending their scoutes out Daily have discovered the Enemy and is in some doubt they will be fowle of them before their ffort is finished. I have nothing more to add but the tender of my due Obedience

Subscribe

Yor Lspps ffaithfull Servtt

Charles County June the 28th 1680.

Rand. Brandt.

as to the first part of wch Letter relateing to the Land at Pascattoway vid Lib Concil for Lands C B fo: 51:

And as to the remaineing pt relateing to the King of Mattawoman requesting a Supply of Armes and Ammunition from

Lib. R. his L^spp: it is advised that the Pascattoway Indians haveing now deserted their ffort and leaveing the Mattawoman Indians upon the ffrontire open to the Enemy his L^spp upon the said Kings addresses to him made may reasonably afford him some small Matter of Supply necessary for his Defence.

His L^spp in answer to Cap^t Brandts Letter did returne as foll viz

Cap^t Brandt

Yours of yesterdays Date by James Smallwood I recd: and take notice of y^r Complyance with my ord^r Concerning the Lands about Pascattoway w^ch lett be still observed. What you write concerning the Articles of peace with those Indians and y^r endeavo^rs to peruse them I likewise not, and the King
p. 144 of Mattawomans Inclinations to address himself to me for a Supply of Armes and Ammunition, whereto I shall give him answer when he comes, I thank you for your care in duely adviseing me of all necessary Intelligence w^ch I Desire you to continue upon all occasions worthy the cognizance of my self and Councill w^ch otherwise you may Suspend for some time I am Yo^r Lo: ffriend

June 29^th 1680: C: Baltemore

Lib. R. R. Att a Councell held at S^t Maryes the ffourth day of July in the ffourth yeare of the Dominion of the right Honoble Charles Lord Baltemore &c over Maryland Annoq Domi. One thousand six hundred Seaventy nine

Present

The Right Hon^ble Charles Lord Baltemore

The Hon^ble { Philip Calvert Esq^r Chancello^r
W^m Calvert Esq^r Principall Secry
Liev^t Coll Henry Darnall

Whereas M^r Christopher Rousby Attorney of M^r Thomas Penroy the Attorney of M^r John Penroy hath informed his Lo^pp and Councell, that the Ketch called Prosperous formerly entrusted by the said John Penroy with M^r Robert Mason for
p. 168 a voyage to Barbados and now returned into this Province lyes in danger of being spoiled by the wormes, and humbly moved for an Order of his Lo^pp and Councell that the said Vessell might be delivered unto him the said Thomas Penroy for the use of the said John Penroy that she might be secured from the wormes, Whereupon itt is Ordered (in the p^rsence of M^r Robert Carvile Attorney of the said Robert Mason) that he the said Robert Mason doe forthwith deliver unto the said

Thomas Penroy the possession of the said Vessell to dispose Lib. R. R.
of her at the will and pleasure of the said Thomas Penroy the said Thomas Penroy giveing Security by bills of Exchange And also good security for the payment of such bills of Exchange as he shall draw or good & Sufficient mens bills of this Province for the true payment of all such wages as are due unto the Seamen for navigating the said Ketch

Signed p ordr of the Councell
Nicholas Painter Cl Assistant of
the Councell

[Prorogation of Assembly.]

Maryland ss. By the Lord Propry A Proclamacon

Whereas for seaverall weighty and Urgent occasions and affaires Relateing to our self and the State and defence of this our Province Wee did hold a Genll Assembly att the Citty of St Maryes the ffifteenth day of May in the first yeare of our Dominion &c Annoq Domini 1676 wch for divers Consideracons us thereunto moveing wee did by seaverall Prorogacons Continue & Prorogue the same untill the 20th day of October then next Ensueing wch said Assembly the fifteenth day of November then next following wee did prorogue untill the second Tuesday in May then next following, wch upon the fourteenth day of March then next Ensueing wee did Prorogue untill the last Tuesday in September then next Ensueing. Wch upon the sixteenth day of August then next follow- p. 180
ing wee did Prorogue untill the thirteenth day of Aprill wch should bee in the yeare of our Lord god 1680, wch said Assembly upon the three and Twentyeth day of March last past wee Did prorogue untill the seaventh day of September on wch the said Generall Assembly should sitt being now near at hand, and Noe Urgent Occasions or affaires Relateing to the state or welfaire of this our Province appeareing for the Convening and sitting of our said Genll Assembly on the said Seaventh day of September Wee have by and wth the advice & Consent of our Councell Determined and Ordained, & Wee doe hereby fully Resolve Determine & ordaine that the said Genll Assembly bee Prorogued untill the second day of November Now next Comeing, & wee doe hereby will and Require as also strictly Charge and Comand All and singuler the Sheriffes of this our Province forthwth Upon Receipt hereof to make Proclamacon hereof with most Convenient places wthin their Respective Countyes, and to give Notice to all and singuler the Delegates & Deputyes by the ffreemen of their County already Elected or for that purpose to bee Elected, that all Excuses sett a part they & every of the said

Lib. R. R. Delegates Come & ꝑsonally appeare att the sayd Citty of S[t] Maryes on the said second day of November now next Comeing To doe & Consent to those things w[ch] then and there by the favo[r] of god shall happen to bee Ordained by us, by and w[th] the advice and Consent of our Great Councell of this o[r] Province Concerning the State and welfare of this Our Province And also to give Notice to such of our Councell as
p. 181 Inhabitt w[th]in theire Respective Countyes That all Excuses sett a part they also bee and appeare att the day and place aforesayd to the End and purpose aforesaid. Given att our Citty of S[t] Maryes Und[r] the Greate Seale of Our said Province of Maryland The Eighteenth day of August in the ffifth yeare of our Dominion &c. Annoq Domini One thousand six hundred and Eighty Philip Calvert

The like Proclamation issued to the Sheriffe of every Respective County w[th]in this Province. Dated ut Supra

Lib. R. At a Councell held at the house of the Hon[ble] Philip Cal-
p. 144 vert Esq[r] Chancelo[r] the ffifth Day of October in the ffifth yeare of the Dominion of the R[tt] Hon[ble] Charles &c. Annoq Dmi. 1680:

The Right Hon[ble] the Lord Proprietary
The Hon[ble] { Philip Calvert Esq[r] Chancelo[r] / Will Calvert Esq[r] Secry / W[m] Digges Esq[r] } P[r]sent

At what time was taken into Consideration the last Commissions granted by his L[spp] to the Comiss[rs] of the severall respective Counties within this Province for tryall of Causes w[ch] was found Deficient in severall particulars and therefore ordered that new Commissions issue to each County empowering the Commission[rs] thereof to heare and Determine all causes or Actions of Debt whatsoever all Actions of trespasse upon the Case ariseing for goods, wares, or other things delivered money or goods lent without limitation to any summe or Quantity whatsoever as also all actions of trespass Quare clausum fregit whereon titles to Land Doe not Depend, Actions of Detinue, sur trover and Replevin, Actions of Covenant wast assault menace battery and Imprisonm[t] and Actions of slander for words spoken; where the Damage laid in the Declaration drawne and filed in and upon such Actions as afores[d] doe not exceed the summe of three thousand pounds of tobacco, And that a Clause be inserted in the said Commission to Authorise and Empower one of the Justices of the Provinciall Court inhabiting and resideing within the said

Counties to sitt as president in the County Court where he Lib. R.
Doth reside at what time he shall be there present to heare
and Determine the Causes and Actions aforesaid.

Capt Randolph Brandt makes Returne of a precept to him directed by ordr from the Rtt Honble the Lord Proprty the thirtieth Day of September last in the words following viz.

By ordr of the Rtt Honble the Ld Proprty

Maryland ss.

You are hereby ordered to summon John Story, John Bennett and James Taylor of your County that all excuses sett apart they be and psonally appeare before his Lspp the Rtt Honble the Lord Proprty and his Councill at the state house at p. 145
the City of St Maries on Tuesday next the ffifth Day of October whereof they are not to faile as they will answer the contrary at their perill and lett them have there with them this precept. Dated the thirtieth Day of September 1880:

To Capt Randolph Brandt of Charles County This } Signed p ordr J Llewellin Cl Consil.

Was thus returned viz

October the first 1680:

Summoned John Story, and John Bennett, James Taylor not to be found Randº Brandt:

Severall Complaints haveing been exhibited to his Lspp: against John Hawkins of Talbott County to whom a Commissº had been formerly granted for hunting and takeing up wild horses &c. It was ordered that the same be vacated by a particular ordr from this board to be Delivered to Capt Peter Sayer for that purpose wch is as foll viz

By the Lord Proprty & Councill

Whereas Commission was formerly granted to John Hawkins of Talbott County to hunt for and take up wild horses, and whereas severall Compits and Informations against the said Hawkins have been exhibited to his Lspp. These are therefore by ordr of his said Lspp and his Councell to publish pronounce and Declare the said Commission to be void Null and vacated to all intents and purposes strictly charging & Commanding the said Hawkins to take due Cognizance hereof and not to act any further by vertue or undr pretence of the same as he will answer the Contrary at his perill Dated the ffifth Day of October in the ffifth yeare of the Dominion of the Rtt Honble Charles &c. Annoq Dmi. 1680:

Signed p ordr
J Llewellin Cl Consil

Lib. R. A Peticōn preferred to this board by Cap^{t} Randolph Brandt of Charles County in behalf of himself and the troopes und^{r} his Comand was then read being as foll viz.

To the R^{tt} Hon^{ble} Charles L^{d} Baltemore Absolute Lord and Prop^{ry} of Maryland &c.

The humble Peticōn of Rand: Brandt in the behalf of himself and the rest of his L^{spps} Troop appointed in Charles County und^{r} his Command

Submissively sheweth

That your L^{spps} Pet^{r} in obedience to an ord^{r} recd: from the late L^{tt} Gen^{ll} of this Province beareing Date the 20th Day of
p. 146 August 1678: did range in the upper parts of Charles County and other places for the Security of the Inhabitants of this Province the full time of Tenn whole weekes for w^{ch} the Committee of the last Assembly would butt allow us halfe pay as Troopes have been formerly allowed in this Province soe that there remaines, due unto us 47370 pounds of tobacco w^{ch} we have been these two yeares without much to the prejudice of severall poore men, and much to the Discouragem^{t} of Sundry of those that (if occasion serve) are ready to Sacrifice their lives for your L^{spp}

The p^{r}misses Considered we hope yo^{r} L^{spp} will please to give us some hopes of our arreares this present Gen^{ll} Leavy, and that it may be ordered with all the Conveniency possible we having been great Sufferers for want of the same

And as in Duty bound shall Ever pray for yo^{r} L^{spps} health and prosperity

W^{ch} peticōn was und^{r}writt viz

October 5th 1680:

The Consideration of the above peticōn referred to the next Gen^{ll} Assembly Signed p ord^{r}

J Llewellin Cl Consil

Councill adjourned till the 2^{d} Day of November next to lay the Publick Leavy

Lib. R. R. [Prorogation of Assembly.]

Maryland ss. By the Lord Prop^{ry} a Proclamacon

Whereas for severall weighty and urgent occacōns and Affaires relateing to o^{r} self and the state and defence of this our Province We did hold a Gen^{ll} Assembly at the Citty of S^{t} Maries the ffifteenth day of May in the ffirst year of our Dominion &c. Annoq Dmi One thousand Six hundred Seaventy Six Which for diverse consideracōns us thereunto moving We did by Sev^{r}all prorogacōns Continue and pro-

rogue the same untill the Twentieth day of October then next Lib. R. R.
ensueing which said Assembly the ffifteenth day of November
then next following we did prorogue untill the second Tues-
day in May then next following Which upon the fourteenth
day of March then next Ensueing We did prorogue untill the
last Tuesday in September then next Ensueing which upon
the Sixteenth day of August then next following We did pro-
rogue untill the Thirteenth day of Aprill last past Which said
Assembly upon the Three and twentieth day of March last p. 182
past we did prorogue untill the seaventh day of September
last past Which upon the Eighteenth day of August Last past
We did prorogue untill the second day of November now
next ensueing Which said second day of November on Which
the said Gen[ll] Assembly should sitt being now neer at hand
and no urgent occasions or Affaires relating to the State or
welfare of this our province appearing, for the Convening &
sitting of our said Gen[ll] Assembly on the said Second day of
Novemb: We have by and with the advice and Consent of
our Councill determined and Ordained and We do hereby
fully resolve determine and Ordaine that the said Gen[ll] Assem-
bly be prorogued untill the ffifth day of Aprill Which shall be
in the year of our Lord God One thousand Six hundred
Eighty and One and We do hereby will and require as also
strictly Charge & Comand all & singular the Sheriffs of this
our Province fforthwith upon Receipt hereof to make procla-
macōn hereof in the most convenient places within their
respective Counties and to give Notice to all & singular the
Delegates and Deputys by the ffreemen of their County
already Elected or for that purpose to be elected that all
Excuses set apart they and every of the said Delegates Come
& ꝑsonally appear at the said Citty of S[t] Maries on the said
ffifth day of Aprill last mencōned to do and Consent to those
things which then and theire by the ffavour of God shall
happen to be ordained by us by and With the Advice & Con-
sent of our Great Councill of this our Province Concerning
the State and Welfare of this our Province And also to give
notice to such of our Councill as inhabit in their respective p. 183
Countyes or that all Excuses set apart they also be and appear
at the day and place aforesaid to the End and purpose afore-
said Given at our Citty of S[t] Maries under the great Seal of
our said Province of Maryland the sixth day of October in the
ffifth year of our Dominion &c. Annoq Dmi One thousand
Six hundred and Eighty

P: Calvert Canc

Memdu: the 25[th] Day of October 1680: A precept then Lib. R.
directed ꝑ ord[r] and appointm[t] of the R[tt] Hon[ble] the Lord p. 146

Lib. R. Propʳʸ to James Greene of Sᵗ Maries County to summon John Tennisson of the same County that all excuses sett apart he be and ꝑsonally appeare before his Lˢᵖᵖ and his Councill at the City of Sᵗ Maries the 2ᵈ Day of November next ensueing the Date hereof to answer unto such matters and thinges as shall be then and there objected against him at the Complaint of his wife

Memdu: the 27ᵗʰ October 1680: a precept then directed to the Sheriffe of Charles County or his Deputy by ordʳ of his Lˢᵖᵖ to summon Thomas Alckock, John Boyden and Edward Rookewood that all excuses sett apart they be and ꝑsonally appeare before his Lˢᵖᵖ and his Councell at the City of St: Maries on Tuesday the 23ᵗʰ Day of November next ensueing the Date thereof to answer unto such matters and things as shall then & there be proposed unto them, and that notice be also given to Capt. Henry Aspinall of the same County to be then and there present.

The Assembly prorogued till the 5ᵗʰ Day of Aprill 1681: and ordered that ꝑclamacōn issue accordingly vid Lib R Concilis fo: 181.

p. 147 At a Councill held at the house of the Honᵇˡᵉ Philip Calvert Esqʳ Chancelorʳ on Tuesday the Second Day of November Anno 1680:

The Honᵇˡᵉ { The Rᵗᵗ Honᵇˡᵉ the Lord Propʳʸ; Philip Calvert Esqʳ Chancelorʳ; William Digges Esqʳ } Present

Then mett according to appointmᵗ to lay the Publick Leavy of this Province but the lists of Tytheables for Sᵗ Maries Anne Arrundell & Baltemore Countyes not being returned, could not proceed therein but referred the laying thereof untill Tuesday the 23ᵗʰDay of this Instant November the first Day of the next Provˡˡ Court, and ordered that notice thereof be given to all ꝑsons therein concerned to have their Claimes ready to putt in at the time appointed wᶜʰ was accordingly done by the following ordʳ of Councill affixed to the Court Doore at the State house viz.

By the Lord Propʳʸ & Councill

November 2ᵈ 1680:

Maryland ss. Whereas at a Councill held at the State house this second Day of November Anno 1680: according to appointmᵗ for the laying and Assessing of the publick leavy of this Province this present yeare, his Lˢᵖᵖ and his Councill

(through the negligence of the Sheriffes of S^{t} Maries Anne Arrundell and Baltemore Counties in not returneing their lists of Titheables in convenient time) have been wholly Disappointed, and could not now to proceed to lay the same, but have referred the Assessing thereof to the first Day of the next Prov^{ll} Court Lib. R.

They are Therefore to give notice that on Tuesday the three and Twentieth Day of this instant November is the Day appointed by his L^{spp} & his Councill to lay and assess the publick leavy of this Province in the Councill roome in the State house at the City of S^{t} Maries whereof all ꝑsons concerned are to take cognizance that they have their Demands Ready to present to his L^{spp} and Councill at the time and place aforesaid

Signed ꝑ ord^{r}
John Llewellin Cl Consil.

John Tennisson according to Summons of the 25th October last makes his appearance, Elizabeth Tennisson his wife at the same time also appeared and exhibited her Complaint to this board ꝑsonally against her s^{d} husband for that she could not live peaceably and Quietly with him, but with a great deale of Danger and hazard to her ꝑson, and therefore humbly prayed the allowance of a competent maintenance might be awarded her

Whereunto John Tennisson replied Denying the allegations of his said wife and averring them to be altogether false malitious and unreasonable that he was ready and willing to receive her into his house and afford her a reasonable maintenance.

Both parties being heard and the Allegations on both sides duely examined and enquired into, and the said John Tennisson openly confessing that he could never entertain that love and respect for his said wife or neither afford her that countenance in his house as is ꝑperly due from a man to his wife, The following ord^{r} thereupon issued viz. p. 148

Novemb. 2^{d} 1680 } By the Lord Prop^{ry} & Councill

Maryl^{d} ss. Whereas at a Councill held at the State house the second Day of November Anno One Thousand Six hundred and Eighty upon the complaint of Elizabeth Tennisson wife of John Tennisson of St. Maries County against her husband the said John Tennisson to this board this Day exhibited that she could not live peaceably & quietly with him but in Danger and hazard of her life, and therefore craved the allowance of a competent maintenance to be awarded her apart from her s^{d} husband, which complaint as also the

Lib. R. Defence made by the said John Tennisson thereunto, and the allegations on both side duely heard and examined, The said John Tennisson alledgeing that he was ready and willing to take his wife home and to afford her a reasonable maintenance but withall openly and plainely acknowledgeing and confessing that he could never respect her soe as to love cherish countenance and maintaine her as a man ought to Doe his wife, all w^{ch} being Duely considered by this board it is this Day ordered.

That the said John Tennisson forthwith deliver unto his said wife or her ord^{r} one good bed and furniture called by the name of her owne bed, all her weareing apparell, and allow her yearely for the time to come three hundred pounds of meate, three barrells of Corne and one Thousand pounds of tobacco for and towards her maintenance dureing her naturall life to be paid and allotted her in such part and place of this Province as she shall Desire and appoint, and that the said John Tennisson give good security for his true ꝑformance of what is hereby required of him before the Hon^{ble} William Digges Esq^{r} who is hereby Authorised and empowered (at such time as he shall think fitt) to summon before him the said John Tennisson and take of him such security as afores^{d} such as he shall approove of

Signed ꝑ ord^{r}
John Llewellin Cl Consil.

Tuesday the 23th Day of November appointed Councill Day for laying the Publick leavy

p. 149 At a Councill held at S^{t} Peters the 27th Day of November 1680:

The Hon^{ble} { The R^{tt} Hon^{ble} the Lord Prop^{ry} / Philip Calvert Esq^{r} Chancelo^{r} / William Calvert Esq^{r} Secry / L^{tt} Coll Thomas Tailler / Vincent Lowe Esq^{r} Sur. Gen^{ll} / L^{tt} Coll Henry Darnall / William Digges Esq^{r} } Present

Ordered that new Commissions issue to the severall Counties of this Province according to a former ord^{r} of this board of the 5th Day of October last, and that the Clks of each respective County Court be required forthwth to certifie to the Clk of the Councill the names of their respective Comiss^{rs} in ord^{r} as they stand placed by their former Commission and that the same be remitted by a speciall Messenger for that

purpose to be pressed at the charge of the County. With all convenient speed and ord^rs accordingly issued to the severall Clks as foll: viz Lib. R.

By the Lord Prop^ry & Councill

Maryland ss:

Ordered that the Clark of Baltemore County forthwith certifie und^r his hand to the Clerk of the Councill at the City of S^t Maries the names of the Commissioners of the said County respectively and in ord^r as they stand placed in their last Commission, and that the Sheriff of the said County take care to remitt the same by a speciall Messenger for that purpose to be pressed at the charge of the County with all expedition possible

Signed p ord^r

J Ll Cl Consil

Idem mutatis mutandis to the Clks of Kent Anne Arrundell & Somersett Countyes the names of the Commissioners of the other Counties being already delivered in

Memda: Decemb. 13^th 1860: Then issued out new Commissions with Dedimus Potestatem to the severall Counties of this Province According to the ord^r of this board above mentioned pursuant to a former ord^r of the same of the 5^th October last as p fo: 144: with alteration onely that whereas by the former ord^r the County Courts were limited (in Actions of trespass quare clausum fregit, detinue, Sur Trover, Replevin, Accompt, Covenant, waste, assault, battery, menace, and imprisonm^t or Actions for words spoken) to the summe of three thousand pounds of tobacco, It was his L^spps ord^r by and with the advice of the hon^ble Philip Calvert Esq^r Chancelor that they be by this new Commission limitted to Sixteene hundred p^ds of tobacco onely.

The Commissions are as foll viz.

C: Baltemore

Charles Absolute Lord and Prop^ry of the Province of Maryland and Avalon Lord Baron of Baltemore &c^a To Coll William Burges, Majo^r Samuel Lane, John Welsh, Nathaniel Heathcott, Henry Stockett, Cap^tn Richard Hill, Thomas ffrancis, Cap^t Nicholas Gassoway, Edward Burges, John Sollers, Henry Ridgely, Edward Darcy, and Richard Beard jun^r of Anne Arrundell County gentl greeteing in our Lord God Everlasting. p. 150

Know yee that considering with our Self that this our Province depends wholly upon trade, and that we have not as yett money come amongst the people here Inhabiting to carry

Lib. R. on trade, soe that the planter and Merchant are both forced to make many debts w^ch^ causeth many suites at law, as also that speedy Justice in the recovery of Debts is therefore the life of all trade, and also that speedy Justice may be done betweene party and party, We have Assigned you the said William Burges, Samuel Lane, John Welsh, Nathaniel Heathcott, Henry Stockett, Richard Hill, Thomas ffrancis, Nicholas Gassoway, Edward Burges, John Sollers, Henry Ridgely, Edward Darcey and Richard Beard Jun^r^ or any four or more of you, (whereof you the said William Burges, Samuel Lane, John Welsh, and Nathaniel Heathcott are alwaies to be one) Justices within our s^d^ County of Anne Arrundell, to heare and Determine all causes or Actions of Debt howsoever and in what manner soever Ariseing, All Actions of trespass upon the case, ariseing for goods, wares, or other things delivered, money or goods lent or upon Note, booke or Accompt without restraint to any summe or Quantity whatsoever, Also all Actions of trespass, quare clausum fregit, (provided noe title to land depends upon the triall of such Actions) Detinue, sur trover, Replevin, Actions of Accompt, Covenant, waste, Assault, menace, Battery, and imprisonm^t^ Actions of Slander for words spoken, provided that in the Declaration drawne and filed in and upon any the s^d^ Actions of trespass, quare clausum fregitt, detinue Sur trover, Replevin, Actions of Acco^t^ Covenant, waste, Assault menace, battery, and imprisonm^t^ or Actions for words spoken before mentioned, the Damages laid doe not exceed the summe of sixteene hundred pounds of tobacco. And therefore we command you that at the certain Dayes settled by the Law of this our Province for holding Courts in our said County, the said Actions you enquire into, heare and Determine, and after judgem^t^ Execution to award, Doeing therein what to justice appertaineth, according to the Lawes and reasonable customs of this our Province, Saveing to us the Amerciam^ts^ and other things to us appertaineing,

p. 151 And to all his Maj^ties^ Subjects resideing here und^r^ our immediate ptection or tradeing within this Province their right of Appeale, and bringing writts of Erro^r^ in our Prov^ll^ Court as now by Law is settled. And Wee command the Sheriff of our said County that at the dayes and places by you or any four or more of you to be appointed as aforesaid, he cause to come before you such and soe many honest and lawfull men of his Bailywick by whom the truth of the p^r^misses may the better be knowne and enquired into, And we doe hereby Declare that it shall and may be lawfull, And we doe hereby Authorise and empower any one (and noe more at any one time) of our Justices of our Prov^ll^ Court resideing and Inhabiting in our said County of Anne Arrundell to sitt with the

aforesaid Justices as president in the heareing and determine- Lib. R.
ing all or any the afores[d] Actions, and that such one of the Justices of our Prov[ll] Court resideing as afores[d] and three of the aforesaid Justices to be sufficient for the holding Courts for the Determineing the causes & Actions aforesaid Any thing afores[d] to the contrary notwithstanding. In Testimony whereof we have caused the greate Seale of our s[d] Province of Maryland to these p[r]sents to be affixed the thirteenth Day of December in the sixth yeare of our Dominion &c[a] Annoq Domini One Thousand Six hundred & Eighty

[Commission to Justices.]

Ded: Potest: as is foll: viz.

Charles Absolute Lord and Prop[ry] of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c[a] To our trusty & well beloved Coll William Burges and Majo[r] Samuel Lane gentl greeteing. Whereas we have by our Comission under the greate Seale of this our s[d] Province of Maryl[d] beareing equall date with this, nominate, constitute, and appointed you the said William Burges, and Samuel Lane, and the severall other ꝑsons in the s[d] Com[on] named, to be Comission[rs] and Justices for the tryall of Causes in our County of Anne Arrundell with full power and Authority to keepe our County Court at such dayes and times as by the law in that case made is provided. Now Know yee that wee reposeing greate trust and confidence in your ffidelityes and provident circumspections have Assigned you and by vertue of these presents doe give unto you full power & Authority (you the said Samuel Lane haveing first taken the vsuall Oath of Comission and Justice of the peace of our s[d] County upon the holy Evangelists, w[ch] Oath wee doe hereby Empower and Authorise you the said William Burges duely to Administer, And you the said Samuel Lane haveing recd: & taken the said Oath, Wee doe hereby Authorise and empower you to Administer the like Oath of Comission[r] and Justice of the peace of our s[d] p. 152
County to him the s[d] William Burges w[ch] being done and ꝑformed) to Call and cause to come before you the other ꝑsons in the said Com[on] nominated and appointed to be Commission[rs] and Justices for the tryall of Causes in our s[d] County and duely & truly to Administer unto them and every of them jointly or severally the said Oath of Comission[r] and Justice of the peace of our s[d] County, they also takeing the same upon the holy Evangelists. And when you have soe Done, we doe will and command you that you doe under your hands and Seales certifie us of your whole proceedings herein without delay into our Court of Chancery wheresoever it shall then be, together with this writt.

Lib. R. Witness Our Self at our City of S[t] Maries the thirteenth day of December in the Sixth yeare of our Dominion &c[a] Annoq Domini One Thousand Six Hundred and Eighty.

Dec: 13: 1680:

The like Commission for tryall of Causes then issued for S[t] Maries County to

Cap[t] Gerard Slye, William Hatton, Richard Lloyd, Clement Hill } Quorum

Joseph Pile, Joshua Doyne, James Bowling, Richard Gardiner, William Boareman Jun[r], Thomas Mudd, John Dent } Gentl Justices

And Dedimus Potestatem to Cap[t] Gerrard Slye & William Hatton } Gentl.

Eod: Die

p. 153 The like Com̄ission then issued for Dorchester County to

William Stephens, Maj[r] Tho. Taylor, John Brooke, William Dorrington } Quor.

Bartholomew Ennals, Charles Hutchins, John Olford, Henry Hooper } Gentl Justices

And Dedimus Potestatem to William Stephens, Maj[r] Tho: Taylor

Eod: Die

The like Com̄iss: then issued for Cæcil County to

Augustine Herman, Cap[t] Jos: Hopkins, James Stavely, Edward English } Quoru

James ffrisby, William Peirce, Nathaniel Garrett, John James, Philip Holeagar } Gentl Justices

And Dedimus Potestatem to Augustine Herman & Cap[t] Joseph Hopkins

Eod: Die Lib. R.

The like Comission then issued for Charles County to

Quoru: Henry Adames, John Stone, Robert Henley, Ignatius Causine

gentl Justices: William Barton, Humphry Warren, Robert Doyne, James Tyer, Thomas Clipshane, Henry Hawkins, Henry Aspinall, George Godfrey, William Smith

And Dedimus Potestatem to

Henry Adames
&
John Stone

Eod Die p. 154

The like Comission then also issued for Baltemore County to

Quoru: Coll George Wells, Majo[r] Tho. Long, Cap[t] Jn° Waterton, Capt. Jn° Stanesby, Henry Johnson

gentl Justices: Miles Gibson, Edward Beedle, Anthony Demondidieur, John Boareing

And Dedimus potestatem to

Coll George Wells
&
Maj[r] Thomas Long

Eod Die

The like Commission then also issued for Talbott County to

Quoru: Richard Woolman, William Coursey, Coll Philemon Lloyd, Edward Mann

gentl Justices: Anthony Mayle, W[m] Bishop, Cap[t] George Cowley, W[m] Coombes, James Murphy

And Dedimus Potestatem to

Richard Woolman
&
Major W[m] Coursey

Eodem Die.

The like Comission then also issued for Calvert County to

Quoru: Capt[n] Sam[ll] Bairne, Coll: Henry Jowles, Roger Brooke, John Griggs

gentl Justices: Thomas Sterling, Thomas Brooke, Richard Marsham, George Lingan, John Craycroft, ffrancis Collier, ffrancis Hutchins, Samuel Taylor

Lib. R. And Ded: Potestatem to
Samuel Bourne
&
Henry Jowles

p. 155 Eodem Die.
The like Comiss^{r} then also issued for Somersett County to

Coll W^{m} Colebourne
Cap^{t} Henry Smith
John White
Cap^{t} David Browne
ffrancis Jenkins
} Quoru.

John Windor
W^{m} Breereton
James Dashiele
Roger Woolford
Major Ambrose Loudon
John Osbourne
Thomas Newbold
William Jones
} gentl Justices

And Dedimus Potestatem to
Coll William Colebourne
&
Cap^{t} Henry Smith

Eod Die the like Comiss^{o} then also issued for Kent County to

Major Joseph Wicks
Major James Ringold
M^{r} Henry Hosier
M^{r} Michael Miller
} Quorum

M^{r} W^{m} Lawrence
M^{r} John Henson
M^{r} Nathaniel Evelt
M^{r} Samuel Tovey
M^{r} Cornelius Comegys
M^{r} Philip Conner
} gentl Justices

And Dedimus Potestatem to
Major Joseph Wicks
&
Cap^{t} Henry Smith

At a Councill held at the house of M^{r} Garrat Vansweringen at the City of S^{t} Maries Tuesday the ffifteenth Day of ffebruary Anno Dmi. 1680.

Lib. R.

The R^tt hon^ble the Lord Prop^ry
The hon^ble { Philip Calvert Esq^r Chancelo^r
L^tt Coll Henry Darnall
Coll: William Stevens } P^rsent

Then mett to consider and consult of the p^rsent state and condition of Our Prov^ll and neighbouring Indians as the case now stands with them in relation to fforreigne Indians their Enemies of whom they stand in daily feare

Resolved that further time be taken to consider thereof and ordered that Saturday next the nineteenth instant be the Day appointed for the meeteing of the Councill.

Adjourned to the 19^th ffeb^ry 1680:

At a Councill held at the house of Garrat Vansweringen at the City of S^t Maries Saturday the 19^th Day of ffeb^ry 1680: p. 156

The R^tt hon^ble the Lord Prop^ry
The hon^ble { Philip Calvert Esq^r Chancelo^r
W^m Calvert Esq^r Secry:
Vincent Lowe Esq^r Sur. Gen^ll
Coll Thomas Tailler
L^tt Coll Henry Darnall
Coll. William Stevens } P^rsent

Resumed their Consult touching the p^rsent State and condition of our Neighbouring Indians viz. Pascattoway, Mattawoman, Nanjemy, and Choptico's

His L^spp: gives the board to understand that some of the greate men of Pascattoway had lately been with him to represent unto him the distressed condition they at present groaned under and w^ch their ffriendshipp to the English by assisting them in the late expedition against the Susquehannoh Indians had reduced them unto, that most of the Mattawoman Indians had been lately Surprised and cutt of by the Susquehannohs, that the Susquehannohs were a common Enemy alike to them all, that they daily expect when it may be their owne turne being already at that passe that they dare not venture out of their ffort to plant their Corne for their sustenance And therefore as they have involved themselves in these troubles aad Calamities by their sideing with and ffriendshipp to the English they Expect and crave protection from his L^spp: according to Articles with a competent Supply of Corne for their necessary Subsistance

The result whereof is comprised in this following ord^r viz.

By the Lord Prop^ry and Councill
ffeb^ry 19^th 1680:

fforasmuch as the King of Mattawoman in league and Amity with his L^spp: the R^tt hon^ble the Lord Prop^ry and the

Lib. R. English Inhabitants of this Province hath lately recd: a considerable blow from some fforreigne Indians by the loss of most of his Subjects which hath struck such dread and terro[r] in the Pascattoway Nanjemy and other our Neighbouring and Prov[ll] Indians also in league and Amity with us that they are in continuall feares and jealousies of being alike surprised and cutt of by fforreigne Indians if not supplied with aid and Assistance from his L[spp]: for their Defence and Sustenance not dareing to stirr out to plant Corne for their necessary support and livelyhood as by the grevious complaint of the Emperour and greate men of Pascattoway and other Indian Townes hath lately been sett forth and alledged, all which
p. 157 being duely weighed and taken into serious consultation by his L[spp]: and his Councill well considering how by the last Articles of peace and Amity made with the said Indians his L[spp]: and good people of this Province are bound to aid and assist the said Indians in such time of their distress.

It is therefore ordered that the Empero[r] and greate men of Pascattoway be made acquainted that his L[spp]: and Councill haveing taken into consideration the present state and condition of them and the rest of our Neighbouring Indians and duely weighed the severall Circumstances they lye under in relation to fforreigne Indians are of opinion and doe advise that the Choptico, Mattawoman and Nanjemy Indians be mooved to cohabit and enfort themselves altogether with them at the Pascattoway ffort (if they shall soe think fitt) as being the most proper place and secure way for to Defend themselves from their Enemie, and where they may be most capable of receiveing aid and assistance from the English (if occasion should require) that for the p[r]sent his L[spp] hath thought fitt to grant them a Supply of thirty pounds of powder and Sixty pounds of Shott for their Defence together with twenty barrills of Corne for their Sustenance, but if Pascattoway should not be approoved of by the said Indians or that they shall refuse to accept of that place for their generall resort & Cohabitation dureing such time of their distress, his L[spp] and Councill doe further order that Nanjemy be proposed unto them as a convenient place to conveene and Enfort themselves at, whither also they may be in a condition to receive aid and assistance from the English, and where they may be provided with the aforesaid Quantity of powder shott and Corne for their p[r]sent Defence and Sustenance, And that when they have pitched upon a certain place his L[spp] will then consider of a further supply for them

And it is further ordered that Cap[t] Randolph Brandt accompanied with Majo[r] W[m] Boareman, M[r] John Stone, and Thomas Baker doe forthwith repaire to the Pascattoway ffort

to make knowne to the Emperor and greate men there the aforegoeing propositions to be Comunicated also to the Mattawoman Nanjemy and Choptico Indians being all therein equally concerned, And that the answer and result of the said Indians thereunto be remitted to his Lspp: and Councill with all convenient speed Lib. R.

Signed p ordr
J Llewellin Cl Consil.

At the same time also ordered that a Lettr be writt to Coll George Wells requireing him when any of the Sinniquo Indians come downe into those parts he give speedy notice thereof to his Lspp: and Councill as also to Jacob Young who is desired to endeavour a treaty with them and to know of them when and in what place neere the head of the Bay or else where in the Province they may be yearely spoken with in ordr to a faire correspondency and the preservation of our league and Amity with them

The Letter is as foll viz.
By ordr from the Rt honble the Lord Propry and his Councill. p. 158

Coll George Wells

Sr when you shall know or be informed that any of the Sinniquo Indians doe come downe into yor parts you are to give speedy notice thereof to his Lspp: and Councill, and in the meane time to advise Jacob Young that it is his Lspps: desire he should endeavour by all waies and meanes possible to speake with some of the greate men and lett them know that his Lspp is very desirous to continue his league and Amity with them and would willingly renew the same yearely by a mutuall Interview of some of the greate men of this Province and some of theirs in such manner and forme as is usuall with them on such occasions could he be acquainted therewith, and therefore desires that they will give his Lspp: to understand where and at what time in every yeare neere the head of the Bay or elsewhere for their conveniency in this Province they may be spoken with, and that they would ascertain the time and place for that purpose, all which when effected lett be signified to his Lspp: and Councill with all convenient speed, and his Lspp: will take care that Jacob Young shall be Satisfied for his care and trouble herein. Signed p ordr
ffebry 19th 1680: J Llewellin Cl Consil

Whereas Information hath this Day been given to his Lspp: and Councill that Henry Tripp of Dorchester County gentl being formerly of the Comission for the said County hath for

Lib. R. some time through mistake been Suspended and not named therein altogether unknowne to his L^spp:

Ordered therefore that the said Henry Tripp haveing first taken his oath of Commissioner be of the Quorū in the said Comiss^e and take his place in the County Courts there accordingly as formerly he hath done.

Signed p ord^r

ffeb^ry 19^th 1680: J Llewellin Cl Consil.

Ordered that John Goddin of Somersett County gentl be added to the Commission of said County and that the vsuall oath in such cases being Administred unto him he take his place in the County Court Accordingly.

Ordered that a Blank Comission be drawne and delivered to Coll W^m Stevens to nominate and appoint whom he shall think fitt Cap^t of a troope of horse or Company of ffoote in
p. 159 Mattapony and Boquata-Nawton hundreds in Somersett County as occasion should require or the said Coll Stevens should think convenient

The Comission is as foll viz

Maryland ss:

Charles Absolute Lord and Prop^ry of the Province of Maryl^d and Avalon L^d Baron of Baltemore &^c To of Somerset County Greeteing

C: Baltemore

Out of the Speciall trust and Confidence we have in your ffidelity Circumspection courage care and good Conduct we have ordeined constituted and appointed as by these p^rsents we doe ordeine constitute & appoint you the s^d to be Capt^a of a Troope of horse or Comp^a of ffoote (as occasion shall require or shall be thought convenient) to be by you raised in Mattapony and Boquatanawton hundreds in the County aforesaid Wherefore the Soldiers of the s^d Troope or Company to be by you raised as aforesaid you are to take into your care and Charge as Cap^ta them to exercise and train up in the art of Warr and Military Discipline and in all thinges to act doe and pforme as any Cap^t of a Troope of horse or company of ffoote may or of Right ought to Doe to the Resistance of all our Enemies Suppression of all Mutinies, Insurrections Invasions and Rebellions whatsoever within this Province according to such orders Instructions and Directions as you shall from time to time receive from us or our L^tt Generall or other Chiefe Governo^r for the time being, from Coll William Stevens of our said County of Somersett or from other your Superio^r Officer, And we doe hereby strictly charge and Comand all

and singular other the Inferior Officers and Souldiers of the Lib. R.
said Troope or Company to observe and obey you as their Captain. To have and to hold the said place and Office of Captn to you the sd for and dureing pleasure. Given under our hand and Seale at Armes the 22th Day of ffebruary in the Sixth yeare of our Dominion &c Annoq Dmi 1680:

At the same time was read and heard a peticon preferred to his Lspp by Edmond Dennis being as foll viz.

To the Rt honble Charles Absolute Lord & Propry of the Provinces of Maryland & Avalon Ld Baron of Baltemore &c.
The humble Peticon of Edmund Dennis Sheweth
That whereas several of your Lspps military Officers did lately make their addresses to yor Honor for the Constituteing and appointing a Marshall to the horse and foote in Charles County, And your Petr did thereupon by his peticon humbly request that yor Lspp would be pleased to appoint your Petr to the said Office, the which yor Lspp: then seemed to your p. 160
Petr in some measure to grant, And knowing your Honor to be soe much taken up with your greate affaires that the meaneness of your peticoners concern cannot be easily had in your Honrs Remembrance though he doubts not your honrs favour, yett your peticoner thinkes it not onely his Interest but Duty now again to putt your honr in Remembrance of his former peticon That your honor would be pleased to conferr the said Office of Marshall on him
And yor Lspp Peticoner as in duty bound shall ever pray &c.

It was thereupon ordered that Edmund Dennis be appointed Marshall both of horse and foote in Charles County and that a Commission be drawne accordingly wch was done and is as foll: viz

Maryland ss:
Charles Absolute Lord and Propry of the Province of Maryland and Avalon Ld Baron of Baltemore &c. To Edmund Dennis of Charles County greeting
Out of the spciall trust and confidence we have and doe repose in your greate care ffidelity Circumspection courage & good Conduct wee have ordeined Constituted & appointed as by these prsents we doe ordeine constitute and appoint you the said Edmund Dennis to be Marshall of all our Military forces both horse and foote in the sd County, wch Office of Marshall as aforesaid you are duely to execute according to such orders, Instructions and Directions as you shall from time to time Receive from us or our Ltt Genll or other chiefe

Lib. R. Governo^{r} for the time being from our Coll or Comand^{r} in chiefe of all our forces in s^{d} County or from other your Superio^{r} Officer and in all thinges to act doe and perform as to the place and Office of Marshall appertaineth with full power and Authority to you hereby given to Collect and Receive of all or any the Officers and Souldiers in our s^{d} County all such ffines as shall be legally Assessed by our s^{d} Coll: or other Superio^{r} officer of our s^{d} County according to Act of Assembly in that case made and provided, and the same to convert unto such vse and vses as by the act aforesaid is Provided keepeing a true and exact Acco^{t} of all such Collections and Disbursem^{ts} by you to be made thereof to be rendred unto us or Our L^{tt} Gen^{ll} or other Chiefe Governo^{r} for the time being as aforesaid to our s^{d} Coll: or Comand^{r} in chiefe in the County aforesaid or other your Superio^{r} Officer when thereunto required. To have and to hold the said place and Office of Marshall unto the s^{d} Edmund Dennis for and dureing pleasure. Given und^{r} our hand and Seale at Armes the 22th Day of ffeb^{ry} in the Sixth yeare of our Dominion &c Annoq Dmi One Thousand Six hundred and Eighty.

Lib. R. R. p. 183

ffebruary the 28th 1680:

You are to make out the proclamations directed to the severall and respective Sheriffes for prorogation of the Assembly till tuesday the Eleaventh of October next

Signed by ord^{r} of the R^{tt} hon^{ble} the Lord Prop^{ry}

To John Llewellin Clk of the Councill. Philip Calvert

[Prorogation of Assembly.]

By the Lord Prop^{ry}

Maryland ss: A Proclamation

Whereas for severall weighty and urgent Occasions & Affaires relateing to Our Self and the State and Defence of this our Province Wee did hold a generall Assembly at the City of S^{t} Maries the ffifteenth day of May in the first yeare of our Dominion &c. Annoq Domini One Thousand six hundred Seaventy Six, Which for divers considerations, Us thereunto mooveing wee did by severall prorogations continue & prorogue untill the twentieth Day of October then next ensueing, W^{ch} s^{d} Assembly the ffifteenth Day of November then next following we did prorogue untill the Second Tuesday in May then next following which upon the fourteenth Day of March then next ensueing wee did prorogue untill the last Tuesday in September then next ensueing w^{ch}

upon the Sixteenth day of August then next following wee Lib. R. R.
did prorogue untill the thirteenth day of Aprill last past w^ch
said Assembly upon the three and twentieth day of March
last past wee did prorogue untill the Seaventh day of Sep-
tember last past, Which upon the Eighteenth Day of August
last past wee did prorogue until the second day of November p. 184
last past, and from thence by Proclamation beareing date the
Sixth Day of October last past wee did prorogue the same
untill the ffifth Day of Aprill now next ensueing, Which said
ffifth Day of April on w^ch the said Generall Assembly should
sitt being now neere at hand & noe urgent occasions or Affaires
relateing to the state or wellfare of this our Province appeare-
ing for the conveeneing and sitting of our s^d Generall Assem-
bly on the said ffifth day of Aprill, Wee have Determined and
ordeined, And wee Doe hereby fully resolve Determine and
ordeine that the said generall Assembly be further prorogued
untill the Eleaventh Day of October which shall be in the yeare
of our Lord God One Thousand Six hundred Eighty and One,
And we Doe hereby will and require as also strictly charge
and command all and Singular the Sheriffes of this our Pro-
vince forthwith upon Receipt hereof to make Proclamac̄on
hereof in the most publick and convenient places within their
respective Counties, and to give notice to all and Singular the
Delegates & Deputies by the ffreemen of their County already
elected or for that purpose to be elected that (all excuses sett
apart) they and every of the said Delegates come and p̄sonally
appeare at the s^d City of S^t Maries on the s^d Eleaventh Day
of October last mentioned to doe and consent to those thinges
which then and there by the favo^r of God shall happen to be
ordeined by us by and with the Advice & consent of our
greate Councill of this our Province concerning the state and
wellfare of this our Province, And also to give notice to such
of our Councill as Inhabit in their respective Counties that
(all excuses sett apart) they also be and appeare at the Day &
place aforesaid in the Upper house of our s^d Generall Assem-
bly to the End & purpose aforesaid. Given at our City of S^t
Maries under the greate seale of our s^d Province of Maryland
the Eight and twentieth Day of ffebruary in the Sixth yeare of
our Dominion &c. Annoq Dmi One Thousand Six hundred
and Eighty P: Calvert Canc:

At a Councill held at the City of S^t Maries the 16^th day of Lib. R.
Aprill Anno 1681: p. 161

The R^t hon^ble the Lord Prop^ry
The Hon^ble { Philip Calvert Esq^r Chancelo^r } P^rsent
William Calvert Esq^r Secry

His L^spp acquaints the board that on Tuesday last the

Lib. R. twelfth instant he being then at Manahowickes Neck there addressed themselves to him the Kings of Mattawoman and Choptico and pittifully sett forth to him the distressed condition they were in being in continuall expectation of their Enemies approach and being Surprised & cutt of by them, that not long since five Choptico Indians were taken away from their hunting Quarters on the Beaver Manno^{r} seemeing to wonder that his L^{spp} had not heard thereof before, they likewise mooved his L^{spp} for aid and assistance urgeing that they had reduced themselves unto that Condition meerely by their ffriendshipp to the English in the late expedition ag^{t} the Susquehannohs insoemuch that they dare not stirr out to plant their Corne and did therefore expect to be protected by the English, that they were very importunate with his L^{spp} to lett them know what they might trust to whither they might be assured of aid and assistance from the English according to Articles or not, His L^{spp}: told them that he did not conceive them to be in such imminent danger as they represented being now Seated soe neere the English whereto they replyed that both they and the English very well knew that the Enemie would not disturb the English, but sought onely their lives without any injury to us His L^{spp} then assured them of a Supply and thereupon ordered Cap^{tn} Randolph Brandt to returne those twelve musketts w^{ch} he had lately recd: from the Mattawoman Indians again into their Custody for their present Defence. His L^{spp} also declared his Opinion to the King of Choptico that he thought it might be very necessary and Convenient for him and his Indians to joine with at Nanjemy by w^{ch} meanes being inforted altogether they would be enabled to make a better Defence, but the King of Choptico replyed that as to that he could make noe result without haveing first consulted his greate men who were not then present.

Resolved that an Ord^{r} from this board be directed to Coll Henry Darnall to Employ some ꝑson whom he shall think fitt to inquire into the truth of that Report of the five Indians being lately taken away off the beaver Damm Manno^{r} & to Certifie the same to his L^{spp} with all convenient speed.

p. 162 By the Lord Prop^{ry} and Councill

Aprill 16th 1681:

Whereas his L^{spp} hath been given to understand by the Kings of Mattawoman and Choptico that five Choptico Indians were lately surprised and taken prisoners from their hunting Quarter on the Beaver Damm Manno^{r}

Ordered that Coll Henry Darnall upon sight hereof Employ some ꝑson or ꝑsons whom he shall think fitt to enquire into the truth of that Report, and that the same be (upon such

inquisition made) Signified to his L^spp: with all Convenient speed. Signed p ord^r J Llewellin Cl Consil Lib. R.

Saturday the 23^th of Aprill 1681: Day next appointed for Councill

Saturday the 23^th of Aprill 1681 being the Day appointed for Councill His L^spp the R^t hon^ble the Lord Prop^ry ordered the same to be adjourned till Monday the 25^th instant

At a Councill held at S^t Maries the 26^th Day of Aprill Anno Dmi. 1681:

The R^t hon^ble the Lord Prop^ry
The hon^ble { Philip Calvert Esq^r Chancelo^r, W^m Calvert Esq^r Secry, Coll Benj^a Rozer, Coll. Henry Darnall } P^rsent

Then tendred to this board an address made to his L^spp by severall the Inhabitants of Kent County against Humphry Elliot being as foll viz

May it please your L^spp:

Wee the Inhabitants of Langfords Bay in Kent County haveing undergone the vast mischiefes troubles losses and Damages that we have susteined by one Ellis Humphryes late of Langfords Bay hundred in your L^spps County of Kent by his killing of our stocks of hoggs and disturbing of our stocks of Cattle and continuall menaceing threatning of the poore Inhabitants of this hundred to burn their houses and waste their goods soe that many of us were weary of our habitations and others forced by his wicked and Malitious Actions both to their bodyes and Estates to sell and Quitt p. 163 their possessions, and whereas the s^d Ellis Humphrys hath lately been convicted off ffellony and was committed into the custody of the Sheriff of this County from whom he made his Escape, on which his said Estate was by the sheriff secured into the hands of the Hundred untill condemnation, upon w^ch Sarah his wife hath peticōned your L^spp for the Estate, and as wee are credibly informed that the said Sarah together with some other of her Assistants doth intend after that your L^spp: hath granted her the said Estate to peticōn yo^r L^spp: to grant unto the said Ellis his pardon, soe that then he may come & live amongst us again which may proove very much destructive unto us:

Therefore we your L^spps most humble Servants doe most

Lib. R. humbly pray your L^spp^: that if it be your L^spps^: pleasure to grant the said Ellis Humphryes his pardon that your L^spp^: will be pleased to take such care to protect us from the wrong and injury that may accrue unto us by his being placed amongst us againe as shall seeme most fitt and convenient by your L^spp^: Your L^spps^. most humble Serv^tts^

Henry Hosier	Thomas Warren	Charles Tilden
Cornelius Comegys	John I Chandler	William Harris
Ed: Inglish	William H Hubbard	Thomas Parker
Cornelius Comegys J^r^	Elias King	
John Bowles	John J T Twiney	
Willam Deane		
George Greene		
John Addison		

Michael Miller Sheriff of Kent County informes this board from the Com̄ission^rs^ of the said County, (as he alledges) that Majo^r^ Joseph Wicks haveing taken Recognizance of Ellis Humphryes in the summe of One Thousand pounds of tobacco to the R^t^ hon^ble^ the Lord Prop^ry^ for conservation of the peace at the suite and procurem^t^ of John Chandler whose house he had threatned to sett on fire did at the County Court table of his owne free voluntary will and accord without the advice consent or approbation of any of the rest of the Commissioners or ord^r^ of Court deliver up the said Recognizance to the said Humphryes, And that the said Wicks had often declared in publick that if Ever the said Ellis should apply himself to him he would harbour and protect him in despight of any one.

At the same time produced to this board and read the following Petic̄n. of Sarah Townesend to the hon^ble^ Philip Calvert Esq^r^ Chancelo^r^ viz

To the hon^ble^ Philip Calvert Esq^r^ Chiefe Judge for probate of Wills and granting Administrations

The humble Petic̄n of Sarah Townesend in most humble manner

Sheweth

p. 164 That one Richard Lee late of Kent County decd: did make a Deed of Gift or Instrum^t^ in his life time under his hand-writeing as by the s^d^ Deed will appeare, wherein he seemed to bestow what Estate he might have left upon your Petic̄ner after his decease, but your Pet^r^ being sick & soe weake that she could not rise when sett or scarce lift her hands to her mouth to feed herselfe was forced to employ M^r^ James Boullay to procure Administration upon promise of giveing him a hhd. of tobacco for doeing thereof but his not goeing downe

himself committed the said Deed to Mr Miller to Doe the office abovesaid, but contrary to trust and promise he hath procured Administration for himself and pretends the deed to be insufficient in Law yett a long time refused to Deliver the said Deed but by the Industry of the Justices in Kent Court it was at last procured, which hath Incouraged your Peticoner to endeavour to proove the sd Deed herself and doe hope that your Honr will take noe advantage for want of forme in the premisses for to ffulfill the Desire of the Deed it being noe wrong to the liveing, and that you will of your Clemency shew favour to the poore and the needy with the force of your power in your Office, And if the Deed be insufficient in it Self that your Honor will be pleased to take notice that your Petr did serve the said Lee as his housekeeper and her two Daughters also being weomen growne did work and make Tobacco and Indian Corne, finding ourselves bedding & houshold goods and remained in the service of the said Lee about ffifteen moneths the said Lee being for most part of the time much afflicted with sickness and Lameness, and Died thereof at last, Soe that if your Honor doe not please to reverse Mr Millers Administration, your Petr & her daughters are left remediless, the Estate being small and under priced it now being in the hands of Mr Miller who doth all he cann to intangle it in Law suites which before was not in Debt for your poore peticōner hath given satisfaction and owed to Mr Miller but the leavyes of three persons being two hundred and tenn pounds of tobacco—wch was a small Debt to Administer for had he not had other Evill considerations therein, by gaineing into his hands One Negro Mann and one boatesaile and Oares, and one Sloopes Hawser, the Appraisemt of the said Commodityes not being prised past half or one third of what they are worth, the rest of the goods being of small value and comes to little, the said Mr Miller being very cruell and takeing all trifles whatsoever. Lib. R.

The premisses considered your poore Peticōner humbly prayes yor Honr to grant her peticōn that she may be Admitted Adminrx of the sd Estate and she shall give good Security for the ꝑformance thereof, and shall as in Duty bound ever pray &c Sarah Townesend

To which peticōn was annexed this following Epistle viz p. 165

Honble Chancelor

These are to acquaint you that the thirteenth day of this instant Apll upon Request came Mr Michael Miller to the house of James Ringold to meete the two weomen namely Sarah Humphryes & Sarah Townsend to receive the warrt from my Lord Propry for the redelivery of Humphryes Estate,

Lib. R. who haveing viewed the warr[t] and also yo[r] Hon[rs] ffriendly Advice, he said he was alwaies ready and willing to obey his L[spp] in all thinges but as touching the bond of tenn thousand pounds of tobacco fforfeitted by Humphrys he should not make a Delivery of that part till he had made his Return at the Provinciall Courts, but for the other part that was seized for the ffellony he was ready to Deliver that. And as touching Sarah Townesends business concerning her Acco[t] against Lees Estate he tooke a coppy thereof and also recd: your Hon[rs] ord[r] to him directed on that behalf but wanted great time to consider of it and refused to give her his Acco[t] against Lees Estate at that time soe that noe Satisfactory Answer was given to the said Sarah Townesend neither could any Argum[t] of the Justices prevaile with the said Miller to Doe the woman speedy right Whereupon we whose names are here underwritten have taken the boldness upon us to address ourselves to your Hon[r] on the behalf of the said Townesend for we are well assured that M[r] Miller is more then ordinary Coveteous in the gaineing soe small an Estate into his hands and soe seveere in the holding thereof that wee doe judge it both an Act of Justice in him and also charitable in us to assist her, in order thereunto we doe intreate your Hono[r] to view the s[d] Sarahs peticō̄n and Doe in it what seemes best to your Discretion for her Easy and speedy recovery of her due in and about the s[d] Estate ffor we doe hereby assure your Hono[r] Lees Estate cannot be properly charged with more then 210[l] tob[o] by M[r] Miller what else he doth charge ought to be recd: else where w[ch] is all at p[r]sent from

Your Hon[rs] very humble Serv[tts]

Aprill 14[th] 1681: James Ringold

Jon: Wickes

p. 166 To the foregoing peticō̄n and Letter was likewise annexed these foll papers viz

Maryland March the 20[th] Day 1679:

Know all yee Christian people to whom this may concern that I Richard Leie of Kent County for divers causes and considerations I Doe freely give unto Sarah Townesend Sen[r] and the child which she now goes with all all my personall Estate, but if the Child should Die to her self and her owne disposeing for Ever paying all my just Debts, therefore I Doe exact this to be my free Deed of gift revokeing all other Deeds of gift what or soe ever or Instrum[t] of writeing as witness my hand & seale this Day and yeare above written

Signed Sealed & deld. in the presence of us
John Wedge
John Clarke

The signe of Richard RL Lee (Sealed)

Aprill the 14th I John Clark have Deposed upon the holy Evangelist that the within mentioned was the act and Deed of Richard Leie of Kent County decd: as witness my hand Lib. R.

James Ringold John Clark
Samuel Tovey

A Comon to William Lawrence
Apprs { James Boullay & ffrancis Barnes

Kent ss:

Michael Miller of this County otherwise called Michael Miller of Kent County Administrator of all and singular the goods and Chattells of Richard Lee late of the sd County decd: standeth attached to answer unto Mary Townesend of the same County in an action of trespass on the case.

And whereupon the said Mary Townesend by William Harris her Attorney complaineth and saith that the said Richard Lee late of this County deceased did in his life time stand indebted unto the said Mary the summe of five hundred pounds of tobacco in cask and although the said Mary have often demanded the said summe of five hundred pounds of tobacco in the life time of the said Richard and since his Death of Michael Miller Adminrs of all the goods and Chattells, which hath refused and still doth refuse to make paymt to the said Mary soe that she saith that she is Damnified and hath Damage to the value of Eight hundred pounds of tobo and thereupon she bringeth this suite

Harris p plt

Richard Lee Dr 1680:

ffor wages for one yeare being hired by him for five hundred pounds of tobacco. 500l

Mary Townesend

vera Copia Elias King Cler:

Both parties vizt Michael Miller and Sarah Townesend being heard passed thereupon this following ordr viz.

At a Councill held at St Maries the 26th Day of Aprill 1681:

In a certain matter of Controversy betweene Michael Miller and Sarah Townesend both of Kent County this Day mooved to his Lspp & Councill and by both parties referred to the Judgemt of this board, It is the opinion of his Lspp: and Councill and they doe declare that Michael Miller (to whom Administration of the Estate of Richard Lee deceased hath been granted) make up his Accompt with the honble the Chancelor Deducting the charges of his Administration his p. 167

Lib. R. owne just Debt with others due from the Estate which he hath bona fide paid, and surrender up the residue of the Estate to the said Sarah Townesend in Specie as he recd. it she the said Sarah giveing good Security to the said Miller that in case hereafter any other debts justly due from the said Estate shall happen to be claimed and recovered she shall be answerable for the same soe as to keepe the said Miller truly indempnified for or by reason thereof.

Signed p ordr
J Llewellin
Cl Consil

By Sarah Humphryes a Peticōn viz

To the Rt honble Charles absolute Ld and Propry of the Province of Maryland & Avalon Lord Baron of Baltemore &ca

The most humble Peticōn of Sarah Humphryes Most humbly Sheweth

That whereas your Lspp: was graciously pleased upon the reading of a Peticōn that was by your poore petitioner presented to your Lspp on the 30th day of March last past that from your Lspps gracious pitty and mercy to the releife and maintenance of your poore Petitioner freely to give and grant the Estate of your Petitioners husband seized by the Sheriff of Kent County for your Lspps vse and by your Lordshipps ordr on the aforesaid Sheriff to deliver the foresaid Estate seized as aforesaid to your poore petitioner, which in pursuance thereof your poore Petitioner demanded of the aforesaid Sheriff the foresaid Estate according to your Lspps order to him directed he being then in the house of Major Ringold on the thirteenth day of this instant Aprill where was likewise at the same time Joseph Wickes and John Hinson and severall others and the said Sheriff upon the peruseall and reading of the foresaid ordr made his reply in answer thereto that he should willingly obey your Lspps order and command in all thinges but as to the Estate that he had seized for the vse of your Lspp he could not Deliver untill he had further ordr from the Provinciall Court and as for his ffees due to himself he would not deliver which being demanded to shew a particular Accot of his ffees he refused pretending he had it not about him but that the sume for ffees due to him was in all two thousand four hundred & Seaventy pounds of tobacco which being required to pay himself his just ffees in tobacco which he seized in the said Humphryes Estate due by bill of three thousand pounds of tobacco from Benjamin Randall, which paymt though undoubtedly he may have it in his possession yett notwithstanding refused to accept of the said tobacco in payment for his ffees as aforesaid, And your poore petitioner

did likewise require the said Sheriffe to Deliver the said Servant seized by him to plant her a little cropp of Corne and other provision for her releife and supply of bread for her maintenance this next ensueing yeare which the time and season of the yeare being farr gone and almost too late already for planting of Corne if she should be any longer Delayed and the Servant kept and deteined from her would be to her greate Damage and injury but the s[d] Sheriffe would not be by any meanes perswaded to Deliver not the Servant nor anything else of the Estate to your poore petitioner, The consideration of all the foresaid proceedings of the foresaid Sheriffe as is aforesaid Declared I most humbly committ and submitt my self to your L[spps] greate wisdome & serious consideration for the releife of your poore Petitioner in and about the p[r]misses aforesaid, And since your L[spp]: hath been soe graciously pleased to Comiserate and abundantly to pitty and mercifully to grant my humble Petition to yo[r] L[spp]: who hath graciously supplyed the greate wants for a maintenance for your poore Petitioner for which I most humbly render my hearty and most humble thankfullness to your L[spp] and haveing largely & abundantly find manifest your L[spps] great grace and favour vouchsafed to your poore Petitioner by which meanes I am thereby further encouraged and emboldened to petition your L[spp] to this one greate request more which whilst your poor Petitioner is silent your poore Petitioners heart & mind is altogether restless by reason of your poore petitioners Deplored uncomfortable and unhappy lonesome life haveing noe society and Assistance nor help of any ffriend or relation to be with me upon any occasion of need or necessity and humbly craveing pardon for my humble boldness to your L[spp]: to declare and make knowne the same doe therefore most humbly pray, begg, and beseech your L[spp]: graciously and freely to pardon forgive and remitt the Offences committed by your poore Petitioners husband against your L[spp] the Law, and a peice of this your L[spps] Province which if your L[spp] shall be graciously pleased to grant free pardon to your poore Petitioners husband that he may safely returne to your poore Petitioner, which I hope will be noe Dishono[r] to your L[spp]: and I trust through the good grace of God Assisting him will be forever reclamed and reformed from his wicked conversation, and both your Petitioner and her husband for all your L[spps] speciall grace and greate and Manifold favours vouchsafed to us Your poore Petitioner being thereby firmly bound shall for Ever remaine your L[spps] faithfull and most humble Obedient and thankfull Servants And shall as in most humble Duty bound for Ever pray.

Lib. R. p. 168

Upon reading whereof passed this following ord[r] viz

Lib. R. At a Council held at S[t] Maries Aprill 26[th] 1681:

Whereas the R[t] hon[ble] the Lord Prop[ry] of this Province did formerly issue forth his ord[r] directed to the Sheriff of Kent County, that what he had seized of the Estate of Ellis Humphryes for his L[spps] vse should be by him redelivered to his wife his L[spp] haveing relinquished his right & title thereunto, The R[t] hon[ble] the Lord Prop[ry] doth now confirme the said former order and the sheriffe of Kent County aforesaid is hereby required to make restitution accordingly

Signed p ord[r]
p John Llewellin
Cl Consil

p. 169 By Christopher Reighnolds a peticōn viz

To the R[t] hon[ble] the Lord Prop[ry] of Maryland

The humble Peticon of Christopher Reighnolds Sheweth

That whereas in the yeare of our Lord 1676: one William Davis & severall other psons was in rebellion against your good L[spp]: and the good Governm[t] of this Province, and for that your Pet[r] by the said William Davis and others of his Company by faire words intreatyes and many insinuations did perswade your Pet[r] to go with them as One of their Company in the said Rebellion all which your Petitioner doth with a sorrowfull and contrite heart humbly confess to your L[spp] and laying himself at the ffeete of your L[spps] mercy humbly prayeth

That your good L[spp] will graciously be pleased to pardon your Pet[r] his said Offence and suffer your Petitioner to dwell in your L[spps] Province (w[ch] he promiseth to Doe as one of your L[spps] good and ffaithfull people for the future) without lett, hinderance or Disturbance for the said Offence

And as in Duty bound he shall ever pray

Which petition was granted and thus underwritten viz.

The petitioner well and truly abeareing himself with due obedience had to the Governm[t] and the Lawes of this Province hath his Offence remitted, and is free quietly to live in the Province and enjoy the fruits of his Labour

Aprill 26[th] 1681: C: Baltemore signed

At a Councill held at the City of S[t] Maries May the 2[d] Anno Domini One Thousand Six hundred Eighty One

The hon[ble] { The R[t] hon[ble] the Lord Prop[ry] / Philip Calvert Esq[r] Chancelo[r] / Vincent Lowe Esq[r] Sur Gen[ll] / Coll William Stevens } P[r]sent

Then taken into consideration the frequent complaints Lib. R.
made by the Inhabitants of this Province against the Ordinary keepers at S^{t} Maries for want of Due accommodation of themselves and their horses at Provinciall Courts and other times of publick convention according to the teno^{r} of their bonds and the Act of Assembly in that case made and provided, which Act was read & ordered that Henry Exon and John Baker Daniel Clocker and ffrancis Catterson Ordinary keepers in and about the City of S^{t} Maries enter into bond anew with one sufficient security each (to be taken by and remaine in the hands of the Clerk of the Councill) in the summe of Twenty Thousand pounds of tobacco conditionally to comply with the teno^{r} of the Act, provideing for Ordinary Keepeing, and upon such bond with security as aforesaid that lycenses be granted them for keeping ordinary as afore- p. 170
said, otherwise that they be not Admitted to keepe ordinary for the future.

Henry Exon pursuant to the aforesaid ord^{r} makes tender of Cap^{t} John Stanesby for his security w^{ch} is accepted off and bond accordingly taken

By Stephen Gary a petic$\bar{o}$n preferred to this board viz

To the R^{t} hon^{ble} the Lord Prop^{ry} and to his hon^{ble} Councill &c

The humble Petition of Stephen Gary of Dorchester County Sheweth

That your Petitioner according to his Duty would have surrenderd his Acco^{ts} to your L^{spp} long since but being prevented by sickness and badd weather had neither time to bring them nor make them up.

That the leavyes were soe inconsiderable these two yeares last past that your Pet^{r} could make in both yeares but Eighty two pounds of tobacco and less then two hundred single tytheable or two in a ffamily

That your Pet^{r} susteyned greate loss last yeare by received Tobacco which lay on his hands Eighteene hhs at one place and fourteen at other places soe that unless your Pet^{r} should continue his office for the yeare ensueing it would be almost his utter undoeing

Your Petitioner therefore Supplicates your L^{spps} Clemency to allow him further time to make up his said Accompts and to continue him in the Office of Sheriff for the County aforesaid. And your Petitioner shall pray &c

Which petition was answered by this following Subscription viz

Lib. R. May the 2d 1681 :

The petitioner produceing a Certificate from the Comissioners of the County Court where he serves according to Act of Assembly in such cases provided his Lspp is willing to continue him in his Office of Sheriff the yeare ensueing.

Signed p ordr
p John Llewellin Cl Consil.

May 3d 1681 :

New Commission for tryall of causes verbatim mutatis mutandis ut in fo: 150 & D. then issued by ordr of this board to

Major William Coursey	Quoru	William Bishop	gentl Justices
Coll Philemon Lloyd		James Murphy	
Edward Mann		William Combes	
Capt. Peter Sayer		George Robotham	
Capt. William Hemsley			

As also Commission for the peace as followeth viz

[Commission to Justices.]

Charles Absolute Lord and Propry of the Provinces of Maryland and Avalon Lord Baron of Baltemore &ca To Major William Coursey, Coll Philemon Lloyd, Edward Mann, Capt Peter Sayer and Captn William Hemsley, William Bishop,
p. 171 James Murphy, William Combes, and George Robotham gentl Greeteing. Know yee that we for the greate trust and confidence we have in your ffidelityes circumspections prudences and wisdomes have constituted ordeined & appointed and doe by these prnts constitute ordeine and appoint you the said William Coursey, Philemon Lloyd, Edward Mann Peter Sayer and William Hemsley, William Bishop James Murphy William Combes and George Robotham gentl Commissioners jointly and severally to keepe the peace in Talbot County and to keepe and cause to be kept all lawes and orders made for the good and conservation of the peace, and for the Quiet rule and Governmt of the people in all and every the Articles of the same and to chastise and punish all persons Offending against the forme of any the Lawes and orders of our sd Province or of any of them in Talbott County aforesaid as according to the forme of those lawes and orders shall be fitt to be done, we have also constituted and ordeined you & every four or more of you of wch you the said William Coursey, Philemon Lloyd, Edward Mann, Peter Sayer, and William Hemsley (unless some one of our Councill be present) are also to be our Commissionrs to enquire by the

oathes of good and lawfull men of your County aforesaid of Lib. R.
all manner of ffelonyes, witchcrafts, Inchantm^ts^ Sorcerys,
Magick Arts, Trespasses, fforestallings Ingrosseings and
extortions whatsoever and of all and singular other misdeeds
and Offences of which Justices of the peace in England may
or ought lawfully to Enquire by whomsoever or whensoever
done or perpetrated or which hereafter shall happen to be
done or perpetrated in the County aforesaid against the
Lawes and orders of our s^d^ Province provided you proceed
not in any of the cases aforesaid to take life or member, but
that in every such Case you send the prisoners with their
Indictment and the whole matter depending before you to
the next Prov^ll^ Court to be holden for our said Province when-
soever or wheresoever to be holden there to be tryed. And
further we doe hereby Authorise you to issue writts processes
Arrests and Attachm^ts^ to hold plea of Oyer and Terminer and
after judgement Execution to Award in all causes civill
whither in Actions reall or psonall according to the Lawes
Orders and reasonable Customs made & vsed in our said
Province of Maryland, in which Causes civill soe to be tryed
we Doe constitute ordeine and appoint you William Coursey,
Philemon Lloyd, Edward Mann, Peter Sayer, and William
Hemsley to be Judges as aforesaid (unless some one of our
Councill be then in Court) And therefore we command you
that you Diligently intend the keepeing of the peace Lawes
and orders and all and singular other the premisses and at
certain Daies appointed according to Act of Assembly in
that case provided, And such places w^ch^ you or any four or
more of you as aforesaid shall in that behalf appoint Yee
make Enquiries upon the premisses and performe and ffullfill
the same in forme aforesaid Doeing therein that which to
Justice appertaineth according to the Lawes orders and p. 172
reasonable customes of our said Province saveing to us the
Amerciam^ts^ and other thinges thereof to us belonging And
therefore we command the sheriff of the said County of
Talbott by vertue of these presents that at the Dayes and
places aforesaid which you or any such four or more of you as
aforesaid shall make knowne to him to give his attendance
on you, and if need require to cause to come before you or
any such four or more of you as aforesaid such and soe many
good and lawfull men of your County by whom the truth in
the premisses may the better be knowne and enquired off,
and further you shall cause to be brought before you at the
said Dayes and place the writts precepts process and Indict-
ments to your Court and Jurisdiction belonging that the
same may be inspected and by a due course Determined as
afores^d^ Given at Our City of S^t^ Maries under the greate

Lib. R. Seale of our said Province of Maryland the third Day of May in the sixth yeare of Our Dominion &c Annoq Domini One Thousand Six hundred Eighty and One.

Memdu. thro following information delivered by his Lspp into the hands of the Clk of the Councill to be entred in the Councill Booke viz

These in the behalfe of his Excellency the Lord Propry of the Province of Maryland

These are to certifie your Lspp: that some time in March last my self being upon Spesutis Island with Henry Johnson seeke-
p. 176 ing for Deare or Turkeys, that the said Johnson did enquire of me if I did heare of the Irish that was to come into this Province, which I did reply that I did not heare of any, then the said Henry Johnson replyed there is ffourty ffamilys to come in under the pretence of seateing Susquehannah River, but that ffourty ffamilys will proove in the End to be ffourty thousand to cutt the Protestants throats ffor it is onely a plott betwixt my Lord and that Irish fellow Talbott and that we shall find, but I hope that the Parliamt of England will prevent their purposes or that they will sink by the way in comeing for I doe not desire their Company soe nigh me

John Mould.

This information was sworne into upon the holy Evangelist to be just and true and not done out of Malice or any Envy the Deponent had to the party accused the fifth Day of March Annoq Domini 1680: before me John Waterton one of his Ldspps Justices for the County of Baltemore. In witness whereof I have hereunto sett my hand the Day and yeare abovesaid

John Waterton

Summons thereon issued to the Sheriff of Baltemore County for the said Henry Johnson to appeare at Councill table the Saturday before Whitsunday Where also John Mold was also to appeare to make good the Information

At a Councill held at the City of St Maries the Seaventh Day of May Anno 1681:

The Rt honble the Lord Propry
The honble { Philip Calvert Esqr Chancelor
Wm Calvert Esqr Secry } Present

at wch time read & heard the following petitions viz

By ffrancis Catterson a Peticon viz.

To the Rt honble the Lord Propry & to his honble Councill &c.

The humble Petition of ffrancis Catterson of the City of S^{t} Maries Inholder Lib. R.

Sheweth

That your Petitioner being a young man and newly settled in the world cannot suddenly purchase such a considerable Quantity of houshold goods or soe large a stock as may be expected from those who have managed the same employm^{t} many yeares

That for the time your Pet^{r} hath kept an ordinary he hath given entertainem^{t} to people according to his beds viz^{t} tenn in number, & has been at more then ordinary charges, and incurred many Debts to effect the same.

That your Pet^{r} is still willing to give entertainem^{t} to the utmost of his power, and shall very speedily be furnished with provision and liquors Sufficient for the next Court, all which may turne to his utter ruine and Destruction, should your Petitioner noe longer continue in the said Employm^{t} or be p. 173 forced to procure security to perform the strictness of the Act in such cases made and provided.

Your Petitioner therefore humbly prayes that your L^{spp} would be graciously pleased to grant him a lycense for the year ensueing and accept of his owne Bond for the performance of his Duty in the said Employm^{t}

And your Pet^{r} shall pray &c.

If the petitioner will produce Security according to the former ord^{r} of this board concerning Ordinary keepers he may have lycense granted him according to his prayer otherwise this board will not receed from their s^{d} former ord^{r}

By Tho: Deakins a petition viz

To the R^{t} hon^{ble} the Lord Prop^{ry} in Councill

The humble petition of Thomas Deakins Drummer Sheweth

That the petitioner hath given his attendance at the City of S^{t} Maries in beateing the Drumm the last Provinciall Court and this present Court

That the Petitioner is intended to Depart the Province this Shipping He therefore humbly prayes that he may be allowed Satisfaction out of the publick at the Assessing the leavy

And he shall pray &^{c}

W^{ch} was thus underwritt

May 7th 1681:

Referred to the next Generall Assembly

Signed p ord^{r}

p John Llewellin Cl Consil

Lib. R. Then read to this board the following Letter from the Commissioners of Kent County to his L^spp with the Draught of a Conveyance of a Court house in the said County to his L^spp for the Countys vse w^ch also is hereafter entred.

Kent July the 13^th 1680:

May it please your L^spp:

We the Justices of this County Court haveing had the peruseall of a Letter from your L^spp directed to Majo^r James Ringold Dated the sixth day of Aprill last past, wherein your L^spp hath signified that the Court house and Prison of this County ought to be conveyed to your L^spp for the vse and benefitt of this County, in complyance of which we doe humbly present unto your L^spp: The coppy of a Conveyance drawne by the expertest Councill we could procure, which if your L^spp shall think it not a sufficient Conveyance we humbly Desire your L^spp would be pleased to order one of your Clerks to send up a Conveyance w^ch your L^spp shall approve off which shall be willingly and readily Signed and performed by

p. 174 Your L^spps most humble Servants

James Ringold
Henry Hosier
Samuel Tovey
Cornelius Comegys
William Wills Lawrence
his marke

The Draught foll viz

This Indenture made the Day of in the yeare of our Lord Christ 1680: and in the ffifth yeare of the Dominion of Charles absolute Lord and Prop^ry of the Province of Maryland and Avalon Lord Baron of Baltemore &c^a Betweene James Ringold of Kent County in the Province of Maryland gentl of the one part and the said R^t hon^ble Charles Lord Baltemore of the other part Witnesseth that the said James Ringold for the considerations herein after mentioned, Hath Given granted Enffeofed and confirmed, and by these presents doth fully freely and absolutely give grant Enffeofe and confirm unto the said Charles Lord Baltemore his heyres and Successo^rs for Ever all that building or structure lately erected by his L^spps Justices of Kent County aforesaid (together with the consent and approbation of the Inhabitants of Kent County aforesaid) being built onely for a Court house or house of Judicature for the said County and to or for noe other use intent or purpose whatsoever, together with a prison house or commone Gaole neere adjoyneing being also

lately erected, and also all that lott or parcell of ground to Lib. R.
the said Court house belonging as the same is now laid out lymitted and bounded (that is to say) beginning at a Locust Post standing by the streete side at the south end of the Corner Lott of the East Streete and running for length two hundred foote to another Locust Post, bounding on the East by a line drawne South One hundred foote to another Locust Post, bounding on the South by a line drawne West two hundred foote to another Locust Post, bounding on the West by a line drawne North One hundred foote to the first named Post, bounding on the West by west by the said Streete Conteyneing in all (be the same more or less) which said Court house Prison and parcell of Land are scituate lyeing and being in the towne of New Yarmouth in the said County of Kent with all and singular Rights priviledges and appurtences thereto belonging or in any wise appertaineing. To have and to hold the said Court house prison and parcell of Land with the appurtenances unto the said Charles Lord Baltemore his heyres and Successo^{rs} for ever to the vse intent and purpose hereinafter mentioned and specified (that is to say) to the vse and behoofe of his L^{spps} Justices of the p. 175
peace for the said County of Kent successively to be by them vsed occupied & employed as a house and place of Justice and Judicature and not otherwayes And the said James Ringold for himself his heyres and Assigns doth covenant and grant to and with the said Charles Lord Baltemore his heyres and Successo^{rs} that it shall and may be lawfull to and for the said Charles Lord Baltemore his heyres and Successo^{rs} from time to time and at all times hereafter Quietly and peaceably to hold and enjoy the said Court house and Prison, and other the premisses with the appurtenances without the lett trouble or Interruption of him the said James Ringold his heyres or Assignes or any other person or persons whatsoever claymeing by from or und^{r} him them or any of them And that the said Charles Lord Baltemore his heyres and successo^{rs} and every of them shall and may at all times for Ever hereafter stand and be Seized of the said Court house Prison and parcell of Land to the vse intent and purpose herein before mentioned and Declared, and to noe other vse intent or purpose whatsoever. In Witness &c^{a}

Ordered that a Letter be writt to the Commissioners of Kent County Court signifyeing to them his L^{spps} approbation of the Draught of their conveyance w^{ch} is also to be remitted to them to be executed w^{ch} was accordingly done & Inclosed in the following Letter viz

Lib. R. Gent[m]

Yours of the 13[th] of July last to his L[spp]: hath been perused as also the Draught of the conveyance inclosed w[ch] is well approoved off and now returned you to be executed in due forme of Law. Signed p ord[r] of the R[t] hon[ble] the Lord Prop[ry] & the hon[ble] his Councill

p John Llewellin Cl Consil

To the Comission[rs] of Kent
County Court These.
p M[r] James Boullay

p. 176 Samuel Groome Command[r] of the shipp Globe Desires the recording of a spiall lycense from his L[spp]: to him granted for tradeing with Indians viz

By the R[t] hon[ble] the Lord Prop[ry]

Maryland ss:

These are to Commissionate Authorise and Empower Cap[t] Samuel Groome Commander of the Shipp Globe of London or whom he shall depute for him to trade traffick and Deale with any our Neighbouring and ffriend Indians for all manner of skinns and ffurrs to any value or Quantity whatsoever, and the same or whatsoever he or his Deputy aforesaid shall by vertue hereof purchase to be to the proper vse of him the said Samuel Groome, or otherwise by him to be disposed off as to him shall seeme meete, He or they paying all dues according to the act of Assembly. And for soe Doeing this shall be a sufficient warrant. Given under our hand and Seale at Armes this Tenth of May 1681:

The s[d] lycense to be dureing pleasure
To all officers civill and Military C: Baltemore
within this Province or others
whom it may Concerne This

On the back of the foregoeing lycense was thus endorsed viz.

p. 177 I Doe by vertue of the within lycense constitute and appoint my trusty and well beloved ffriends, Liveing Dennard, and John Goddin both of Sommersett County and Thomas Smithson of Talbot County my true & lawfull Deputyes and Attorneys to act for me and in my behalf accordingly as by the within lycense I am empowered, ratifyeing and confirmeing w[t]soever my said Deputyes shall legally doe therein. Witness my hand & Seale the Tenth Day of May Anno Dmi 1681. p Samuel Groome sealed

Test Tho. Gerard
J Llewellin

At a Councill held at S^t^ Peters at the Chancelo^rs^ house the 19^th^ Day of June Anno 1681: Lib. R.

The hon^ble^ { The R^t^ hon^ble^ the Lord Prop^ry^ / Philip Calvert Esq^r^ Chancelo^r^ / William Calvert Esq^r^ Secry / Coll. Henry Darnall } Present

produced by his L^spp^ and read to the board a Letter from Cap^t^ Brandt viz.

May it please your L^spp^:

In Obedience to your L^spp^ Commands of the 16^th^ of this instant to Coll William Chandler, have in every respect answered my self, James Smallwood and two more hath been with the Sinniquas whom we found in sight of the Zachaiah ffort treateing with our Indians, I made knowne to the Sinniquo by one of our Indians who I conceive rightly understood them, your L^spp^ had a Desire to treate with them, they replyed they were much in want of provisions and could not stay, for answer told them if two or three of them, would goe Downe to your L^spp^: I would provide them some Corne and kill them a beife to supply their wants, untill such time their greate men returned from your L^spp^: their answer was when they had treated with the Pascattoways they would treate with us, the Conference betweene them held neere two houres and much Peake was given by our Indians to them and by them recd: and much friendship past betweene them and sundry of our Indians came frequently amongst them when this ended they Desired me and my small Company to goe farther with them where we found the Body and conceive them to be neere two hundred, they held a Councill which lasted four houres but could not perswade them to come in to your L^spp^: by noe meanes, neither could gett them to stay untill such time I could advise your L^spp^ of our proceedings but immediately comanded the Camp to remoove, we asked of them where they were intended, they replyed for Pascattoway where their Canooes lay. Wee made them to understand your L^spp^ was much their ffriend and intended them noe harme and gave them caution how they came into our plantations unless it were in friendshipp. While the conference lasted betweene us severall of the Zachaia Indians came out of the ffort, and when we tooke leave of them the Indians that belonged to the ffort proffered to returne, whom they deteined and conceive intends to take them away, I returned to the ffort and gave the Indians notice thereof and gave them caution not to trust them; I shall make further inquiry as to the Indians soe deteyned (if returned) and give your L^spp^: Acco^t^ thereof, or in p. 178

Lib. R. anything else that may be worth your L^spps notice. I am now in readiness with your L^spps Troope to secure the upper parts of our County where I mostly apprehend any Danger and am now on my March, and intend to continue rangeing till such time I heare from your L^spp: I have sent on purpose this Messenger to give yo^r L^spp: Acco^t of my proceedings, When Owen Newen returnes shall be able to give your L^spp a further Acco^t of the state of our Neighbouring Indians. I feare notwithstanding the Deteyneing of our Indians they and the forreigne Indians are agreed, I begg your L^spps pardon in what may be amiss in my bad writeing, being in greate haste subscribe

June the 18^th 1681: Your L^spps ffaithfull Servant
To the R^t hon^ble Charles Lord Baltemore Rand^o Brandt
absolutely Lord & Prop^ry of Maryland
humbly Present

haste post haste for the Lord Prop^ry and Countreys immediate service Rand^o Brandt

his L^spp acquaints the board that he had by an express the last night sent orders to Capt^n Brandt that (if at any time he mett again with the Sinniquas he should endeavour to treate with them and promise them a provision of Corne and meate for their necessary Supplyes. w^ch was approoved of by the board and confirmed by this following ord^r of Councill viz.

By the Lord Prop^ry & Councill

Maryland ss.

Whereas his L^spp: hath been given to understand that a considerable Body of the Sinniquo Indians have lately appeared before the Pascattoway ffort at Zachaiah in Charles County and are still in those parts, and whereas his L^spp hath Declared in Councill his greate Desire to speake and treate with the said Indians in order to the ratifyeing and confirmeing the league made with them at ffort Albany by Coll Henry Coursey Authorised by his L^spp for the Inhabitants of this his Province, his Majesties Subjects of the Collony of Virginia, and the neighbouring and ffriend Indians of this Province, and haveing consulted his Councill thereupon It is by and with their advice and consent hereby Ordered.

That Cap^t Randolph Brandt of Charles keepe rangeing with his Troope in such places of the said County where he shall think most proper to meete with the said Sinniquo Indians, and endeavour to speake with them and Desire them to admitt of a Conference with some of their greate men and some Authorised from his L^spp of this Province, whereof when it shall be effected he is forthwith to give notice to Coll

William Chandler, Mr Henry Adames and Mr John Stowe (thereunto hereby fully Authorised and Empowered) that they with such and soe many men well armed as shall be necessary for their guard joine with the said Captn Randolph Brandt in the Conference with the sd Indians ; when they are to be putt in mind of their league aforesaid, and be acquainted with his Lspps Instructions and earnest desire of ratifyeing and confirmeing the same as at present soe by a mutuall Interview of some of their greate men with some of this Province in the moneths of May June or July (wch they shall appoint) in every yeare at Zachaiah (a place now knowne unto them) That as his Lspp and the good people of this Province are Desirous to preserve and keepe inviolate the said league with them soe he hopes they will on their parts observe and keepe all and Singular the Articles thereof towards the Inhabitants of this Province, his Majesties Subjects of Virginia and our Neighbouring and ffriend Indians therein particularly named. And for a Testimoniall of his Lspps true Intentions and Inclinations thereunto he makes tender of a peice of tradeing Cloth as a present, which he Desires they will send for to Mattapony, or otherwise upon notice given to his Lspp: he will take care it shall be sent to them at a place where they shall appoint in the said County (where they now are) with assurance of a safe conduct to and from Mattapony (if they think fitt to come) or liberty of remaineing where they are or whither they shall appoint to goe to receive the same, as also an allowance of a reasonable supply of meate and Corne for their provision dureing their stay and towards their journey back an exact and punctuall Accot of which proceedings to be duely taken and transmitted to his Lspp as well under the hands of the said Coll William Chandler Mr Henry Adames and Mr John Stone as of the said Captn Randolph Brandt with all convenient speed. Dated the nineteenth Day of June in the Sixth yeare of the Dominion of the Rt honble Charles &ca Annoq Dmi 1681

Lib. R. P. 179

Signed p ordr
p J Llewellin Cl Consil

Then taken into consideration the late horrid Murder Committed upon five Men and a Woman English at the Lower End of the towne the ffifteenth instant, Eight Indians (viz:) three men three weomen and two Children being thereupon taken in the parts where the same was Committed and now in Custody upon Suspition of being Actors therein Whereupon issued the two following orders viz.

By the Lord Propry & Councill

Maryland ss.

Whereas there are lately taken and in Custody Eight Indian Prisoners suspected to have been concerned in the late

Lib. R. barbarous murder Committed about the lower End of the Towne in S[t] Maries County, some of which are said and reputed to be Choptico Indians, And whereas his L[spp] by and
p. 180 with the advice and consent of his Councill hath appointed Wednesday next the two and twentieth instant at nine of the Clock in the morning the Day for their examination and tryall at the City of S[t] Maries.

Ordered that Majo[r] William Boareman high Sheriff of S[t] Maries County give notice thereof to the King of Choptico desireing him with one other of his greate men to be present at the proceedings, assureing them of a safe conduct thither and back again, and in the meane time that he ord[r] all his subjects to keepe the Towne and not stirr out to or neere any English Plantation for that it may be prejudiciall and altogether unsafe for them soe to doe untill such time as the English may be better able to distinguish their friends from their ffoes. It is also ordered that Majo[r] William Boareman himself accompany the King of Choptico downe and give his attendance at this board by the time and place aforesaid and that he give notice to Vincent Mansell to doe accordingly

Signed p ord[r]

June 19[th] 1681: p J Llewellin Cl Consil

By the Lord Prop[ry] and Councill

Maryland ss.

Whereas there hath lately been committed a Barbarous murder on some of the Inhabitants of this Province in or about the lower end of the towne in the County of S[t] Maries, and whereas there are thereupon taken and in custody eight Indian prisoners some of w[ch] are said & reputed to be neighbouring Indians of the towne of Choptico whose examination and tryall his L[spp] by and with the advice and Consent of his Councill hath ordered and Determined to be at the City of S[t] Maries on Wednesday next the two and twentieth Instant.

Ordered that Coll William Chandler high Sheriff of Charles County upon sight hereof give Notice to the Pascattoway Mattawoman and Nanjemaick Indians that upon noe pretence whatsoever any of them presume to come to or neere any English Plantation, but keepe their severall & respective Townes or fforts for some time least the English (upon the perpetration of the said late murder) thereby enraged and not knowing how to distinguish their ffriends from their foes take them to be of the latter rank and Deale with them accordingly

June 19[th] 1681: Signed p ord[r]

p JLlewellin Cl Consil

The tryall of the said Indians is accordingly appointed to Lib. R.
be on Wednesday the 22th Day of this instant June at the City of St Maries when and where all persons that cann give Evidence against the prisoners in Custody are to appeare to make good their charge

Venire facias to issue to the Sheriff of St Maries County for the summoning of a Jury

And a Commission of Oyer and Terminer to be Directed p. 181
to Philip Calvert Esqr Chancelor William Calvert Esqr Secry Henry Darnall Esqr and William Digges Esqr

Wch Commission was as followeth viz.

C: Baltemore signed

Maryland ss.

Charles Absolute Lord and Propry of the Province of Maryland and Avalon Lord Baron of Baltemore &ca To our trusty and dearely beloved uncle and Councellor Philip Calvert Esqr our Chancellor of our sd Province Our Deare Couzen William Calvert Esqr our Councellor and principall Secry of our said Province, and our trusty and well beloved Councellors Henry Darnall Esqr and William Digges Esqr Greeteing. Know yee that we have Assigned you or any three or more of you (whereof you the said Philip Calvert and William Calvert are alwaies to be one) Our Judges to Enquire by the oathes of twelve good and lawfull men of this Province, and by such other waies and meanes by which the truth of the matter may more plainly appeare and to you shall seeme best and shall be within your power, of all such Treasons, Misprision of Treason against his most sacred Majestie the King of England our dread Soveraigne, Murders, Insurrections, Rebellions, Mutinies and Seditions, Burglaryes unlawfull meeteings, and speakeing of words against us or our Dominion over this Province, as also of the Accessaryes to the same within this Province by whomsoever and whensoever done perpetrated or Committed, and by whom against whom, when, how, and in what manner, and of all other Articles and Circumstances of the premisses them or any of them any manner of way touching or Concerning, And the same treasons, Misprision of treason agt his said Majestie, Murders, Insurrections, Rebellions, Mutinies & Seditions Burglaryes, unlawfull meeteings or speakeing of words against us or our Dominion over this Province and other the Premisses (for this time) to heare and Determine according to the Lawes and Customes of the Kingdome of England and of this our Province, And therefore we Comand you that at certain Dayes and places which you or any three or more of you (whereof you the said Philip Calvert and William Calvert are to be One) shall appoint you make Diligent Enquiry upon

Lib. R. the premisses, and all and singular the premisses you heare and Determine, and the same Doe and performe in manner aforesaid, doeing therein what to Justice appertaineth according to the Laws and Customs of England and of this Province, Saveing to us our Amerciam[ts] and other thinges from thence to us ariseing or belonging, ffor wee have Commanded the sheriffes of this our Province that at certain Daies and places which you or any three of you (whereof you the said Philip Calvert and William Calvert are alwaies to be One)
p. 182 they cause to come before you such and soe many honest and lawfull men of this Province by whom the truth of the matter may the better be knowne and Enquired after. In Testimony whereof we have caused these our Letters to be made Pattents. Witness Our Self at our City of S[t] Maries the twentieth Day of June in the sixth yeare of our Dominion over our s[d] Province &[c] Annoq Domini One Thousand six hundred Eighty & One.

At the same time the Councill did Declare and it was the opinion of this board that if any Indians at any time presented themselves to any English Plantation or appeared in the woods painted they are (according to the Articles made with the Pascattoways &[c] Anno 1666) to be Deemed as a Common Enemy, and also if they appeare unpainted with Armes and shall upon demand to lay downe their armes refuse soe to Doe they are to be taken for Enemies & dealt withall accordingly.

Memdu. this should have preceeded the foregoing, and should have been entred in fo: 177: but being there omitted is here entred as followeth.

At a Councill held at S[t] Peters the Chancelo[rs] house there June 17[th] 1681 :

The hon[ble] { The R[t] hon[ble] the Lord Prop[ry] / Philip Calvert Esq[r] Chancelo[r] / Will[m] Calvert Esq[r] Secry } Present

at which time produced by his L[spp] and read to this board the severall papers following viz

A Letter from Coll Wells viz

The 29[th] May 1681.

May it please your L[spp]:

I have this Day recd: information from Jacob Young that there is above two hundred Sinniquo Indians now upon their voiage downe to the Pascattoway Indians, and that they have

to their guide the King of the Mattawomans, and intend by presents to endeavour to draw the Pascattoways with them, but if they cannot to destroy them where they light of them, also he informes me that the reason why the Sinniquos did not come to treate with your L^{spp} as was Desired is because they have recd: an affront from the Christians but where at present he does not understand but supposes it to be on the Easterne Shore, Also humbly does conceive this may be a fitt oportunity for your L^{spp} to treate with those Northern Indians at the Pascattoway ffort in Zachaiah Swamp where they are intended within a very short time, this Information he recd: from some Delaware Indians that spoke with them up Susquehannoh River, the truth of which your L^{spp}: need not doubt, A further Relation Jacob endeavo^{rs} to have, the which when recd: shall with all speed send downe to your L^{spp}: and Remaine as in Duty Lib. R. p. 183

Your L^{spps} ffaithfull Servant to my power
These ffor the R^{tt} hon^{ble} George Wells
the Lord Prop^{ry} of Maryland
humbly Present
haste post haste for his L^{spps} Service.

A Letter from Coll Chandler viz.

June the 15th Day 1681.

May it please your L^{spp}:

This Day came Majo^{r} Boareman to my house and informed me that about One hour by Sunn there was an Indian came to his house and told him that the Sinniquos is come to Zachajack ffort and have taken some Prisoners that was without the ffort, but have made noe assault as yett upon the ffort, and they sent one of the Indians that they had taken formerly which is a Pascattoway Indian to informe them that they Desired to treate with some of the greate men of the English, and that there is a party of the Sinniquos gone down to Choptico to secure the Choptico Indians, this being all at present I Remaine Your L^{spps} most humble Servant

Thus Superscribed W^{m} Chandler
To the R^{t} honb^{le} the Lord Baltemore
Lord Prop^{ry} of the Province of Maryland.

Read also these following informations from Dorchester County produced by Majo^{r} Thomas Taylor and Capt^{n} Henry Tripp viz.

May the 22th 1681:

Then was Informed by John Kirk that an Indian belonging to Ababco did tell him that the Nanticokes were Rogues and

Lib. R. did severall times instigate them to joine with the Nanticokes against the English but would not agree to it, and still doe say that they doe intend mischiefe to the English, and that suddenly

And some time since the same Indian did tell me words to the same effect, and still have and doe instigate Ababco and his Indians to joine with them, and as he saith have as yett refused it, soe much from Barthol Ennalls.

George Kent likewise Declare that about the 15th of May comeing from Delaware by the head of the Northwest branch of Nanticoke he did heare people at work and he doe suppose them to be Indians, and did likewise see more Indians goeing to them with axes and provision on their backs, and he doe suppose and he is informed there is a hundred hoggs which Daily comes into their ffort the mark of

George × Kent

May 28th 1681:

p. 184 Edward Hide was at the house of Henry Swigget and saw Eight Indians goe into the house when they were a planting, and one of them came and presented a gunn at them, and I chanced to hold up my head from planting and see him, and he slided Downe his gunn again, and I with the rest went up to them and asked what Indians they were and they said they were Chicacone Indians and went away Signed

Edward E Hide

At the house of Capt Dawson there came twenty Indians or more all armed and painted and came some into the house and some sett downe their gunns without doores, at last one of them starts up and said all the Indians was angry. This Information by Edward Pindar, William Smithson and Richard Adames.

May 30th 1681:

Tho: Wheeler saw two Indians well armed close by Mr William Hills Plantation and he stood and viewed them very well and they him and just turned about his head and they were gone Sign

Tho: × Wheeler

May 30th 1681:

Benjamin Palmes informeth that Thomas Harpin and Charles Hutchins and Edward ffisher was at Nanticocke ffort and all the Indians except some weomen and Children were gone with their Corne skinns and matter and other truck.

Sign

Benjamin × Palmes

June 3d 1681: Lib. R.

Alice Davis saw 3 or 4 Indians creepeing up to William Keeds house and as soone as she see them she screeked out and they runn behind a Tree and William Keede came out with his Gunn but durst not goe to them haveing noe more powder and shott but what was in his Gunn

The first of June 1681:

John White see four Indians at Stephen Garys Plantation at Transquakin all painted and well armed, he went towards them and they went away John White

Majo[r] Thomas Taylor informes the board that according to his L[spps] Order he had made all strict enquiry into the nature of the severall complaints daily made by the Inhabitants of Dorchester County grounded upon the feares and jealousies they apprehend from the Indians that in ord[r] thereunto he had lately been at the Nanticoke ffort and spoken with the Emperour who had confidently assured him that none of his p. 185 Indians had offered any insolency to the English that he had strictly commanded his Subjects that vsed the English plantations that they should upon their approch thereunto or upon their encountring any English man in the woods lay downe their armes and hold up their hands tyed with a white Cloth in token of peace and Amity, that if any Indians at any time did otherwise present themselves the English might freely fire at them and kill them by w[ch] meanes they might come to discover what Indians they were

Whereupon issued the following ord[r] of Councill and the two severall Commissions to Majo[r] Taylor and Cap[t] Henry Tripp viz

By the Lord Prop[ry] and Councill

Maryland ss:

Forasmuch as severall Complaints have been made to his L[spp]: the R[t] hon[ble] the Lord Prop[ry] in Councill of severall insolencyes committed and affronts given by severall Indians on the Eastern shore in Dorchester County who have appeared painted and in a warlike posture to the greate terror of the good People there, And whereas his L[spp] Did thereupon ord[r] Majo[r] Thomas Taylor and Cap[t] Henry Tripp of the County aforesaid to Enquire into the p[r]misses and if need were to address themselves to the Emperour of Nanticoke for Redress.

And whereas the said Empero[r] and greate men thereupon did deny that any of his Indians had ever appeared in those parts painted or had ever affronted the English there and for

Lib. R. a Designe to distinguish his Subjects from other Enemy Indians did then order all his Subjects that should frequent the English Quarters to hold up their left armes tyed about with a white Cloth in token of Amity and to lay downe their weapons upon their approach to any English Plantation or Encounter with any English man in the woods, and did further grant that it should be lawfull for any English man to kill any of his Subjects that should neglect or refuse soe to Doe upon their approach or Encounter as aforesaid his L^spp^ by the advice of his Councill did Declare that he was well satisfied with the answer of the said Emperour, and that he did beleive that the said Emperour was resolved to stand to the peace heretofore made by the s^d^ Emperour with his L^spp^: Yet in regard the Sinniquos and other Enemies of this Province did frequently enter this Province and under friendly shews deceive the People and Destroy them when Oportunity presents His L^dspp^ by and with the advice and consent of his Councill hath thought fitt to ord^r^ and doth hereby order the said Majo^r^ Thomas Taylor to range with such and soe many of his Troope as he shall see convenient and as often as he shall think necessary to range for discovery of such Enemyes as aforesaid, and (if need be) to call to his Assistance Cap^t^ Henry Tripp with as many ffoote as they shall see convenient for the Quiett and security of Dorchester County as aforesaid that the Inhabitants of the said County may keepe their homes and attend their Cropps and other affaires till they shall by order from his L^spp^: and Councill be drawne together for their mutuall Defence & security

Signed p ord^r^

June 17: 1681: p J Llewellin Cl Consil

p. 186 Maryl^d^ ss: Whereas Complaint hath to us been made of severall Insolencyes Committed and affronts given by severall Indians on the Easterne Shore in Dorchester County appeareing there painted and in a warlike posture to the dread and terror of the Inhabitants of our said County, ffor prevention whereof for the future, and for the better discovery of the Enemy, Wee have thought fitt and doe hereby (by and with the advice and consent of our Councill) Authoreize and Empower as also strictly charge and Command you Majo^r^ Thomas Taylor of the County aforesaid when and as often as occasion shall require or you shall see convenient to Range in any part of the said County with such and soe many of your troope as you shall think necessary for such discovery as aforesaid And in case you shall meete with any Indians armed and painted as aforesaid you are to endeavour to speake with them and Demand of them their Nation, their

Business and the reason of such their warlike posture, and if Lib. R.
they shall appeare to be Enemyes or shall refuse to speake with you and give you such Accompt as aforesaid you are to endeavour to compell them thereunto by force of Armes, & otherwise to deale with them as a Common Enemy according to the tenor of your Commission; And upon occasion you are to call to your aid and assistance Capt Henry Tripp of your said County with a party of ffoote to consist of such and soe many men well armed and provided as you both shall think fitt and conclude to be necessary for the end and purpose aforesaid, Whose aid and Assistance the said Capt Henry Tripp is hereby willed and required to afford you accordingly.

An Accompt of your proceedings you are from time to time (as often as shall be convenient) to remitt unto us with all Convenient speed. And for soe Doeing this shall be your warrant. Given under our hand and Seale at Armes the seaventeenth Day of June Anno Domini One thousand six hundred Eighty One.

Maryld ss. Whereas for the Quiet and Security of the Inhabitants of Dorchester County Wee have Authorized and empowered Major Thomas Taylor of the same County to range with his troope (when and as often as occasion shall require) in any part of the said County for the discovery of any Enemy that may attempt or Designe any violence or injury to the Inhabitants there, And have also given order to the sd Taylor (upon occasion) to call unto his aid and Assistance Capt. Henry Tripp of the said County with a party of ffoote to consist of such and soe many men well armed and provided as they shall both think necessary and Convenient for such Occasion.

Wee Doe therefore hereby Authorise and Empower as also charge and command you the said Captn Henry Tripp (when and as often as you and the said Taylor shall see convenient) p. 187
to afford your aid and assistance as aforesaid either by joineing with him or marching yourself with such and soe many of your Company well provided as shall be thought necessary for the discovery of any Enemy as aforesd And in case you meete with any Indians armed or painted or otherwise supposed Enemies you are to endeavour to speake with them and Demand of them their Nation, their business, and the reason of such their warlike posture, and if they shall appeare to be Enemies or shall refuse to speake with you, and give you such Accompt as aforesaid, you are to endeavour to compell them thereunto by force of armes and otherwise to deale with them as a common Enemy according to the tenor of your

Lib. R. Commission, And to render unto us an Accompt of your proceedings when and as often as shall be convenient. And for soe doeing this shall be your Warrant. Given under our hand and Seale at Armes the seaventeenth Day of June Anno Dmi One Thousand Six hundred Eighty One.

At a Councill held at S^{t} Maries the 22th Day of June Anno Domini 1681:

The R^{t} hon^{ble} the Lord Prop^{ry}
The hon^{ble} { Philip Calvert Esq^{r} Chancelo^{r}, William Calvert Esq^{r} Secry, Henry Darnall Esq^{r}, William Digges Esq^{r} } Present

Then brought to Examination the Indian Prisoners lately taken upon Suspicōn of the late horrid Murder Committed at the lower end of the towne.

John Shankes & Vincent Mansell } Interpreters

Examination of Nantapasque a Woman

Interpreter. What Towne belong you to?
Indian. to Choptico
Int. how long since you came from thence?
Ind. About a ffortnight since
Int. Came the other prisoners at the same time with you.
Ind. ——
Int. Whither went yee when yee came from M^{r} Shankes?
Ind. to Gardiners Neck at Brittons Bay
p. 188 Int. Were yee altogether there? and went yee there together
Ind. all but the one eyed man whom we mett at Gardners
Int. how long did yee stay there?
Ind. the making of a Canooe for M^{r} Thompsòn
Int. Whither went yee from thence?
Ind. over the River to Coll Spencers
Int. how long staied yee there?
Ind. Three Sabboth Daies
Int. What did yee there?
Ind: two men made a Canooe the other went a hunting & the weomen to gett huckleberryes.
Int. Were noe other Indians with yee there?
Ind: One Nanjatico Indian and a boy
Int. Where did yee pick him up?
Ind. at Coll Spencers

Int. came noe more Indians with yee from M^r^ Shankes's Lib. R.
Ind. Noe more
Int. Whither went yee from Coll Spencers and when?
Ind. Five Daies since and came to the Creeke where we taken
Int. Onely they themselves and noe more with them?
Ind: Our selves and noe more
Int. What became of the Nanjatico Indian?
Ind. he came not over with us but intended within four daies to Returne home.
Int. how long since yee were at the Secrys Quarter at Piney Neck?
Ind. Wee were never there.
Int. Here are some English men saies yee there
Ind. We never were there.
Tho: Keeteing called to view the woman and asked whither he had seene the Examinant saith that he saw noe Weomen among those Indians that were at Piney Neck.

The Examination of Sachennaws a Woman
Interp: What towne belong you to?
Ind: Choptico
Int. how long since you came from thence?
Ind: I cannot Remember.
Interp: Whither went you when you came from Choptico? p. 189
Ind: To M^r^ Shankes
Int. Whither then?
Ind. To M^r^ Gardiners
Int. What Company with you?
Ind. themselves three men and three weomen
Int. how long staid you there?
Ind: the makeing a Canooe
Int- Whither went you from thence?
Ind: over the River to Coll Spencers
Int. To Coll Spencers owne dwelling house or his Quarter?
Ind. To his house and saw him and his wife
Int. how long staied yee there?
Ind. Know not
Int. What did yee there?
Ind. Make a Canooe
Int. Made yee a Canooe at Coll Spencers and another at Gardiners?
Ind. Yes.
Int. for your selves or some English there?
Ind. for an English man in Virginia
Int. Was onely your owne Company and noe other Indians w^th^ you there?

Lib. R. Ind. Eleaven Nanjatico Indians
Int. how long staied yee with those Indians?
Ind. a little while not a Day
Int. Did yee find the Nanjatico Indians there?
Ind. Yes.
Int. how came the Nanjatico Indians thither?
Ind. By water in a boate
Int. When yee came from thence did yee leave the Nanjatico Indians there?
Ind. The Nanjatico Indians went away while wee were there
Int. Which way went they?
Ind. they went up the River
Int. Did any of your Company trade with the Nanjatico Indians?
Ind. None of us traded with them neither had we anything of them.
Int. Whither went yee when ye came from Coll Spencers?
Ind. Downe here to the place where we were found.
Int. Any more Company with you?
Ind. None but those that were taken with me
p. 190 Int. How long since ye were at the Secrys Quarter?
Ind. Never there
Int. did not the men sometimes seperate themselves from the weomen and leave yee?
Ind: Never.
(The thinges taken with them produced and shewed th^{m})
Int. Where had yee the stockings?
Ind. over the River hard by Coll Spencers
Int. Where the Spoones?
Ind. a little boy gave them to me when I was a girle
Int. Where the Pinn Cushion?
Ind. The pinns of Coll Spencers wife, the Cushion of one that lives in Charles County a young girle
Int. how neere to Cap^{t} ffendalls?
Ind. I had it of Cap^{t} ffendalls Daughter.
Int. Where the Coife?
Ind. over the River where the Canooe was made
Int. Brought yee no gunns with you?
Ind. None but what the men sometimes borrowed of those they hunted for
Int. What doe they with powder and shott?
Ind. the men gott it from those they hunted for.
Int. What is become of the rest of your truck?
Ind. We had nothing more then what is taken with us.

The Examination of Apononaus a Woman Lib. R.

Int. What towne belong you to?
Ind. Choptico
Int. how long since you came from thence?
Ind. A moneth since
Int. Whither went you when you came from Choptico?
Ind. to an English Plant[a] where some Indians plant Corne.
Int. What other Indians in Company with you?
Ind. the three men two weomen and Children now taken
Int. Were yee at M[r] Shankes's?
Ind: We did putt in there and from thence went to Gardiners
Int. Were yee all there?
Ind. All.
Int. how long staied yee there?
Ind. about Eight Daies the makeing of a Canooe
Int. Whither went yee from thence?
Ind. over the River to Coll Spencers who had sent for our men to make him a Canooe.
Int. To Coll Spencers house or his Quarter? p. 191
Ind. his house and had a small house appointed us by the Quarter
Int. how long stayed yee there?
Ind. about tenn daies makeing a Canooe
Int. Any other Indians besides your owne Company with you at Coll Spencers?
Ind. four Nanjatico Indians came up to the place where we were quartered, of whom I asked how many there were of them and he answered Eleaven
Int. how came they thither by water or by land?
Ind. they came from the Easterne shore in a boate.
Int. Saw you the boate?
Ind. Noe
Int. how long staied you with the Nanjatico Indians
Ind: but a little while they the Nanjatico Indians went away presently
Int. Did yee find the Nanjatico Indians there?
Ind: Wee had been there a pretty while before
Int: Did you or any of your Company deale with the Nanjatico Indians
Ind. None of us.
Int. which way went the Nanjatico Indians?
Ind. Some of our Company went downe to the water side and saw them stand up the River.
Int. Did not the men sometimes goe from you?
Ind. Noe otherwise then while they were makeing a Canooe or sometimes went a hunting

Lib. R. Int. Returned the men at Nights?
Ind. they never absented themselves at nights.
Int. Whither went yee from Coll Spencers?
Ind. When we came from Virginia wee had a faire wind and putt ashoare at the place where we were taken.
Int. Came any more Company with you?
Ind. None but our selves.
Int. What did the men with their Gunns?
Ind. they have none but what they borrow of the English for whom they hunt
Int. what doe they with powder and shott?
Ind. they gott it off those they hunted for.
Int. how long since yee parted with the Nanjatico Indians?
Ind. about ffifteene daies
Int. Where had yee the stockings?
Ind. hard by Coll Spencers of One for whom they had hunted
p. 192 Int. Where the Spoones?
Ind. Given her when she was a little One
Int. Where the Pincushion?
Ind. The pinns of Coll Spencers wife the Cushion of Cap[t] ffendalls daughter

The Examination of Iaquiscouh a Man

Int. What towne belong you to?
Ind. Pottuxen
Int. how long have you been with these other Indians?
Ind. five daies.
Int. Where mett you with them?
Ind. at M[r] Gardiners
Int. What did you at Gardners?
Ind. I and my Brother were there makeing a Canooe where the rest of the Indians came and found us.
Int. Whither went you from thence?
Ind. to Coll Spencers together
Int. to his Dwelling house?
Ind. We were at a small house hard by
Int. Were there any other Indians that you saw there?
Ind. there came to us some Nanjatico Indians
Int. how Many?
Ind. Eleaven
Int. how came they by water or land?
Ind. they came in a boate from the Eastern Shore
Int. how long had the Nanjatico Indians been there when yee came?
Ind. Wee had been there about Six Daies when they came thither

Int. Did you trade with or receive any thing from the Nanjatico Indians? Lib. R.

Ind. Noe, I saw some Roanoake and a White Matchcoate in the boate

Int. Nothing else?

Ind. I saw nothing more, Coll Spencer also went downe to the boate and saw what they had.

Int. how long were yee with the Nanjatico Indians?

Ind. The Nanjatico Indians made noe stay

Int. Saw you them goe away?

Ind. Yes and they went up the River towards Mattox Towne

Int. how long since yee came from Coll Spencers?

Ind. About six Daies since

Int. Whither went yee from thence?

Ind. to a Creeke hard by the Shipp, where we were taken

Int. What is become of your Gunn?

Ind. I had none, I frequent not the woods, onely make Canooes.

Int. What doe you with powder and shott shott bag and horne? p. 193

Ind: kill a Deare now and then when I cann borrow a Gunn

Int. When you came over there were seene more padlers of you then now are found

Ind: We were noe more in Company but us three men, three weomen and two Children with our burdens

Love Jones a woman called and required to view the Examinant Declares that she saw him about a moneth since at Point Looke out with some more Indians being Eleaven in number in a new boate goeing over to Nanticoke as they told her

Int. This woman knows you

Ind. She knowes me not, what Clothes had I

Wom: a blew Coate and I asked the Indians what they had in their baggs and they told me Pokoone roots for painting Stuffe for the Eastern shore Indians

Quær. of Arthur Thompson then present about what time Did the Indians make your Canooe.

Thompson. about three weekes since for w^{ch} he gave a blew Matchcoate and they went over into Virginia

Wom: I Doe verily beleive this to be one of the Indians I saw in the boate at point Lookeout he had his hair then close cutt round onely at the edges which made me looke very stedfastly on him, they then pulled a paper out of their bagg and asked me if I could read, I said yes and told them it was a pass, where to they answered Yes a pass.

Lib. R. Tho: Keeteing called saies he saw a blind Indian very like this the Examin[t] among the Nanjatico Indians being Eleaven of them in all about a ffortnight since at a warr Dance at the Secrys Quarter

John Stavely called Declares that he saw a one eyed Indian among those in the Secrys Neck being in all eleaven of which three boyes, they had with them two passes giveing them liberty to trade, that he saw them a Day or two before the murder was committed and one of them was painted

Int. Where had yee the stockings?

Ind. of one that lives by Coll Spencers for whom we had formerly hunted.

Int. Where the hatt?

Ind. it was one of Coll Spencers Maids hatts and she had lost it and my Brother tooke it up intending when it was enquired for to give it her again

Int. Where the Spoones?

Ind. two of them we have had a greate while viz: the weomen the other they have lately gott from whence I know not

Int. Where the Scissors?

Ind. Know not

p. 194 Int. Where the Pinn cushion?

Ind. the pinns were given to the weomen at Coll Spencers the Cushion I know not where they had it

The Examination of Noscomne als Cap[t] John a Man

Int. of what towne?

Ind. Pottuxen

Int. When and where came you in company with the other Indians?

Ind. I frequent among them and came from Choptico with them

Int. Whither went you from Choptico and how long since?

Ind. to M[r] Shankes house from thence to M[r] Gardners where we made a Canooe and were there tenn or twelve Dayes.

Int. Whither went you from thence?

Ind. Into Virginia to Coll Spencers and there made a Canooe

Int. Did all the rest of your Company here goe with you there?

Ind. all together.

Int. What other Indian saw you at Coll Spencers?

Ind. there came two men and two boyes to buy Cotton

Int. What Indians were they?

Ind. Nanjatico

Int. Dealt you not with those Indians? Lib. R.
Ind. they had nothing to deale for
Int. Came those Indians before or after you?
Ind. We were there before them
Int. how came they thither?
Ind. in a boate being five of them with a boy that came up to us
Int. Did you see the boate?
Ind. Noe but some of us and Coll Spencer went to see the boate
Int. Whither went you from Coll Spencers and how long since
Ind. about five or six Daies since and landed at Esq[r] Calverts Creeke
Int. Was there a one eyed Indian among the Nanjaticos?
Ind. I know not I did not see them all
Int. Doe you know any of their names
Ind. Noe but the Young Indian does

The Examination of Paupakinquah a Man

Int. of what place
Ind. Choptico
Int. how long since you came from thence?
Ind. almost a moneth
Int. in Company with what other Indians?
Ind. with the old man in the red Matchcoate and three weomen
Int. Whither went you from Choptico? p. 195
Ind. to Shankes's from thence to M[r] Gardners where we mett the one eyed Indian who had fallen a tree, and we helped him to make a Canooe.
Int. the same Indian with one eye that is now here?
Ind. the same
Int. Whither went yee from M[r] Gardners?
Ind. over to Coll Spencers
Int. to his Dwelling house or Quarter?
Ind. to his house and Coll Spencers wife said what are you come will you make us a Canooe? and we told her yes
Int. how long were yee there?
Ind. a ffortnight and better
Int. where tooke yee up your Quarters?
Ind. at a little house apart from the Dwelling house
Int. what other Indians saw you there?
Ind. Some Nanjatico Indians
Int. how many?
Ind. Eleaven
Int. knew you any of them?

Lib. R. Ind. Two
Int. their Names
Ind. one was called Wottotawaughcomoco the other what his name now is I know not his former name was at heawen
Int. knew you noe more?
Ind. None
Int. Saw you Eleaven?
Ind. I saw them
Int. did you talk with them, did you ask from whence they came?
Ind: Yes, and they said they came from the Eastern shore and the wind being fowle they putt in and staied at the Secrys Quarter
Int: What came they in?
Ind. a new boate
Int. all of them men?
Ind. all men
Int. Whose boate was it?
Ind. I demanded of them and they said it belonged to one at Apamattox
Int. Was there among them a one eyed Indian?
Ind. I Did not see them all
Int. but now you said you saw them all
Ind. there might be one such but I am not certain yea or noe
Int. Saw you them goe away?
Ind. two of them were sett over Nomoing Bay the rest went by water I sett them over
Int. about what time?
Ind: ——
p. 196 Int. Whither those two Indians you carried over the bay were those you named, and how know you they touched at the Secrys Land?
Ind: I asked them and they told me, as also that there were two Nanjemy Indians with them, Nine went away in the boate and two I sett over the bay.
Int. Did not you tell the Secry that you had the white blankett (w^{ch} was found with you) out of the Nanjatico Indians boate?
Ind: I said I saw such another in their boate
Int. Where had you the spoones?
Ind: One the Children found upon the ground, one I brought from the Susquehannoh ffort, the other I know not it belongs to the weomen
Int. where the hatt?
Ind. Coll Spencers maid lost it
Int. where the Stockings?

Ind. hard by Coll Spencers of one Kirks wife Lib. R.
Int. where the pincushion?
Ind. at Cap^{t} ffendalls.
Int. where the axe?
Ind. I have had it a long time
Int. Were you at Coll Spencers house?
Ind. Wee vsed to go thither every Day.
Int. You have been formerly asked who killed the English and you have said the Nanjatico Indians what say you now?
Ind. I should lye if I should name any I might say May be Nanjatico may be Sinniquos.
Int. why then did you tell the Secry before severall people they were Nanjatico Indians?
Ind. I said may be Nanjatico Indians

Love Jones again called Declares that she saw this man the Examinant in the boate at Point Looke out and gave him a Pone and a ffish, that he was then amongst those Indians then goeing over to the Easterne shore that he had a blew coate on with pewter buttons and a white edgeing
Ind: One of those Nanjatico Indians whom I have named had such a like Coate on

The further Examination of the Prisoners together with the Evidences is referred to the Court when they shall be brought to tryall.
And the Councill Rises.

At a Councill held at Mattapony the 25th Day of June 1681: p. 197

The hon^{ble} { The R^{t} hon^{ble} the Lord Prop^{ry}, Philip Calvert Esq^{r} Chancelo^{r}, William Calvert Esq^{r} Secry, Henry Darnall Esq^{r}, William Digges Esq^{r} } Present

At w^{ch} time his L^{spp} was pleased to Communicate to this board the two following Letters from Cap^{t} Brandt and Coll Chandler viz

May it please your L^{spp}:
I have received your L^{spps} Commands and the ord^{r} of Councill of the 19th instant, and shall to the utmost of my power comply with the same in every respect. I thought it necessary to give your L^{spp} acco^{t} of my being at Zachaiah ffort this Day, where I found the Indians much troubled for

Lib. R. the loss of the thirteene Indians stollen away by the Sinniquos and daily in feare of being all destroyed. Yesterday they say they discovered a Sinniquo hard by the ffort; I have ordered them to give notice if ever they appeare again that our endeavours may not be wanting to treate with them; the Sinniquos laid their Corne ffield ffence downe and they are in such feare dare not make it up. I have promised them thursday next to range about the ffort untill such time they have secured it. I have given them to understand your L^{spps} Commands that they doe not stirr abroad for some tyme which they have promised shall be complyed with, and the other towne shall have notice to morrow, they doe say that the prisoners taken at Mattawoman ffort new yeares day last being with the Senniquo Indians (which I saw and well know) to the number of three told them they had two ffrenchmen with them which lay some small distance from the body. I am now to give your L^{dspp} acco^{t} of the present condition of my troope, many of them house-keepers poore and in greate hopes of a good Cropp, but if forced to range will not be in a condition to make Corne nor Tobacco, and the time of the yeare being farr spent doe think by rangeing not to be a Saver as the act of Assembly doth allow which may proove much to their prejudice unless your L^{spp} and Councill would be pleased to consider them therein, they are very willing to comply with your L^{dspps} Commands, I conceive the one half of the troope to range weekely and the other halfe to releive may be security sufficient unless the Sinniquo appeare and then all to be ready for the security of those persons concerned in the treaty; by which meanes they may be able to make Corne, but then they hope they may not be deprived of their whole pay being alwaies ready at an houres warning; I humbly beg your L^{dspps} pleasure herein which will give greate encouragem^{t} and that it may be signified to them by the returne of this post which will give greate content, a small hint of their arreares due to them will give greate content w^{ch}
p. 198 hath been due this three yeares. The Indians at Zachaiah doth beleive they will come with a greater party ere long. I am apt to beleive those Indians I treated with are not reall Sinniquos neither hath any relation to those Coll Coursey made peace with, my reason is. In their Matchacomoco they seperated themselves in severall partyes, and the Susquehannohs not soe friendly as the rest to us; our Indians are in a deplorable Condition but more especially them which belong to Zachaiah being destitute of all manner of ffoode; the Inhabitants in generall of the upper parts of our County much pleased with the Troopes rangeing, and the Indians not comeing into our Plantations. I have nothing more worth your L^{spps} notice at present, as occasion offers shall advise with

the repʳsntation of my due Obedience and best of service Lib. R.
Subscribe in great haste

Your Lᵈˢᵖᵖˢ:
ffaithfull & most Obedient Servᵗ
Portobacco Charles County Randᵒ: Brandt
June 20ᵗʰ 1681:

Thus Superscribed
To the Rᵗ honᵇˡᵉ Charles Lord Baltemore absolute Lord and Propʳʸ of Maryland.
haste post haste for his Lˢᵖᵖˢ Service

Randᵒ Brandt

May it please your Lᵈˢᵖᵖ:

20ᵗʰ June 1681:

I recd: your Lˢᵖᵖˢ Commands relateing to the Delivery of ffifty pounds of powder to Mʳ Cheseldine but doe find it cannot possibly be spared haveing sold all of what was ordʳed into my Custody in reference to your Lˢᵖᵖˢ Commands signified in a Letter from Mʳ Llewellin when the powder was sent up; off which I have here sent your Lˢᵖᵖ a ꝑticular Accoᵗ of your Lᵈˢᵖᵖˢ Commands of the 16ᵗʰ Instant as also the former shall be duely observed, and my small endeavours shall not be wanting for the preservation of the Inhabitants of this County; ffor news it is most certain that the strange Indians which lay by the Zachaiah ffort have carried twelve of the Zachaiah Indians away with them (notwithstanding the peace made in the presence of Captⁿ Brandt) and are gone, their tract hath been seen by one that was hunting for horses about the Pascattoway ffort since they went away and the tract leads towards the Creeke. Capᵗ Brandt is now gone to Zachaiah to make what Discovery he cann, and intends to take James Smallwood along with him, he knowing best those Indians which was Deteyned by the strange Indians at the ffort, which if proove to be there yett will make a greate discovery there by: he intends to vse his utmost to keepe them from a further Agreement, and continue rangeing betweene the said ffort and the ffrontire Plantations of this County, which seemes to be much approoved off by the Inhabitants thereof, We are Informed by the Zachaiah Indians that these p. 199
Indians that Come downe are not Sinniquos but a mixt people of severall Nations, some Susquehannohs, some Aquaiacoes, some Doags and part of two other Nations which I have forgott; Yett they be the same party that cutt off the Mattawoman ffort as appeares by four Prisoners that they had amongst them which were well knowne by James Smallwood to belong to the Mattawomans; likewise those Prisoners informe our Indians that these are the party which doe them all the mischiefe, and that the Sinniquos never doe them

Lib. R. harme: We are informed by the King of Mattawoman that he expects greate Companys of these Indians downe amongst the Plantations within this Seaven dayes which he seemes to be in very greate fears off The Pascattoway Indians have been at James Smallwoods since the other Indians went away and seeme to be much troubled for the loss of their Indians and doe say that they have served them two crooked tricks already and saith also that if your L^{spp} would assist them they would serve them two as crooked tricks; there are some Indians that lived upon my Land and have very good Corne ffeilds that now are gone downe among the English Plantations for feare of being cutt of, The Mattawoman Prisoners that came downe along with the strange Indians inform our Indians at Zachaiah that there are two ffrench amongst them and that they marry with them and are all one with them, I suppose by the next Post your L^{spp} will Receive a full Acco^{t} of Capt^{n} Brandts proceedings: I have nothing more to add but the representation of my best endeavours Subscribe

Yo^{r} L^{dspp} ffaithfull Servant

thus Superscribed viz. William Chandler

To the R^{t} hon^{ble} Charles Lord Baltemore absolute Lord and Prop^{ry} of Maryland

haste post hast for the L^{d} Prop^{rys} Service

Certified William Chandler

Then taken into consideration the late horrid murder committed at the lower End of the towne whereof the Indian prisoners lately taken were suspected but upon their tryall and a Letter recd: from Coll Spencer were acquitted and Discharged.

Memdū. that in the Examination of the Indian prisoners the last Councill Day One of them did say that there were among the Nanjatico Indians upon the Secrys Land two Nanjemy Indians w^{ch} also was affirmed by John Stavely that he saw the Secrys two Indians among them at the warr Dance at Piney Neck.

Whereupon issued these foll ord^{rs} viz

p. 200 With all Convenient Speed after sight hereof you are to take with you James Cullins or John Stavely and with them repaire to Coll Will^{m} Chandler from whom you are to Demand a convenient guard for your security, with which guard and James Cullins or John Stavely you are forthwith to repaire to Nanjemy and there to Demand the two Indians that hunted lately for Coll William Calvert and were at the warr Dance at Piney Neck with the Nanjatico Indians, and the said two Indians to apprehend and bring downe to St. Maries before

us and Councill with all Convenient speed. hereof faile not Lib. R.
as you will answer the Contrary at your perill. Given under
our hand and Seale this 25th Day of June 1681:

C: Baltemore

To Majo^{r} William Boareman

Immediately upon sight hereof you are to raise a sufficient guard for William Boareman and those shall come with him who is herewith sent to apprehend some Nanjemy Indians suspected to have a hand in the murder of some English about Point Lookeout, and with that guard to see the said Boareman and the prisoners (if apprehended) safely conveyed out of your County to the house of the s^{d} Boareman in S^{t} Maries County or other such place of security neere the Mill in Charles County as he the said Boareman shall direct. hereof faile not as you will answer the contrary at your perill. Given under my hand and Seale this 25th Day of June 1681:

To Coll William Chandler high
Sheriff of Charles County.

Coll Calvert acquaints the board that he had three Indians hunted for him whereupon issued also the foll ord^{rs}:

When pursuant to a former ord^{r} from us and Councill to you directed this Day you shall make Demand of the two Indians that hunted for Coll William Calvert and were lately at a warr Dance at Piney Neck with the Nanjatico Indians, you are at the same time also to Demand a third Indian named M^{r} Richard who also hunted for the said Coll Calvert, and him soe apprehended you are to bring downe with the other two to S^{t} Maries before us and Councill with all Convenient speed. Given under our hand and seale this 25th Day of June 1681:

To Majo^{r} William Boareman
These

ffor your better Direction in the Demand of the Indians above mentioned you are to take with you James Cullins or John Stavely the bearers hereof, who know and are acquainted with the said Indians C: Baltemore

Immediately upon sight hereof you are both of you to repaire well mounted to Majo^{r} William Boareman to whom you are to deliver the Inclosed, and attend upon him for what p. 201
further ord^{rs} he shall give you whereof you are not to faile. Given under our hand this 25th Day of June Anno Dmi 1681 :

To James Cullins
&
John Stavely
This

Lib. R. You are also hereby Authorised and empowered to press a fresh horse or horses in any place where you shall have occasion for your more speedy dispatch in the Execution hereof Given as above C: Baltemore

If horses be not immediately to be had in your parts you are forthwith to come to Mattapony where they shall be provided for you C: B.

Ordered also that Proclamations issue for Calling the Assembly the 16th Day of August next Declareing his Lspps Dissent to an Act made the last Sessions Entituled (An Act Directing the Manner of Electing and Summoning Delegates & Representatives to serve in succeeding Assemblyes) wch Act requires the Chooseing of four Delegates for Every County to sitt and vote in the Assembly wch is by his Lspp and Councill deemed too burdensome for every County and that two are sufficient, It being the Opinion of this board that the true intent of that Act was onely to assure the ffreemen of this Province that all the Deputyes by them Chosen should be called to sitt and vote in the Assembly without any necessity of haveing soe many as four in every County. And for the future two Deputyes onely for every County shall be elected.

Proclamation accordingly issued qd vid lib Concil R. R: fo: 185 :

Lib. R. R. [Calling Assembly.]

By the Lord Propry

Maryland ss: a Proclamation

Whereas by an Act of Assembly of this Province (made at a Generall Assembly holden at the City of St Maries the Twentieth Day of October Anno Domini One Thousand Six hundred Seaventy Eight (by severall prorogations prorogued
p. 185 and continued thereto from the ffifteenth Day of May Anno Domini One Thousand six hundred Seaventy Six) Entituled [An Act Directing the manner of Electing and summoning Delegates and Representatives to serve in succeeding Assemblies it was Enacted that four Deputyes and Delegates for each respective County should be chosen and called to sitt in every generall Assembly for the future, The Inconveniency whereof in burdening every County with the charge of four Delegates as aforesaid Wee haveing duely weighed and considered, and conceiveing that the true intent of the said Act was onely to assure the ffreemen of this our Province that all persons by them elected for their Delegates and Representatives, should be called to sitt and vote in our said generall

Assembly. And wee haveing consulted and advised with our Lib. R. R.
Councill thereupon, Wee Doe by and with their advice consent and approbation hereby proclaime publish and Declare our Disassent to the said Act, and the same to be null and void to all intents and purposes, any clause thereof or any thing therein conteined to the contrary in any wise notwithstanding And that (after the Dissolution of this present generall Assembly) for the future two Delegates onely shall be elected and chosen for every County to sitt and vote in succeeding Assemblies.

And whereas our said generall Assembly holden as aforesaid by severall prorogations hath been prorogued and continued untill the Eleaventh Day of October next ensueing, but severall urgent and weighty occasions and affaires relateing to the state and wellfare of this our Province (now every way alarmed by fforreigne Indians) since interveeneing which requires the sooner and more speedy conveeneing and sitting thereof, Wee have by and with the advice and consent of our Councill determined and ordeined, and wee doe hereby fully Resolve Determine and ordeine that the said Generall Assembly be held at our City of S^{t} Maries on the Sixteenth Day of August next ensueing And therefore wee Doe hereby will and require as also strictly charge and command all and singular the Sheriffes of this our Province forthwith upon Receipt hereof to make Proclamation hereof in the most publick and convenient places within their respective Counties and to give notice to all and singular the Delegates and Deputyes by the ffreemen of their County already elected and which are now liveing and resideing within their said County that all excuses sett apart they and every of the said Delegates come and personally appeare at the said City of S^{t} Maries on the said Sixteenth Day of August next ensueing to doe and consent to those thinges which then and there by the favour of God shall happen to be Ordeined by us by and with the advice and consent of our greate Councill of this our p. 186
Province concerning the state and wellfare of this our Province, And also to give notice to such of our Councill as inhabitt in their Respective Counties that all excuses sett apart they also be and appeare at the Day and place aforesaid in the upper house of our said Generall Assembly to the end and purpose aforesaid Given at our City of S^{t} Maries under the greate Seale of our said Province of Maryland the Seaven and twentieth Day of June in the sixth yeare of our Dominion &c Annoq Domini One Thousand Six hundred Eighty One

Philip Calvert Canc.

vid ord^{r} Council lib Consil A fo: 201 :

Lib. R. At a Councill held at S[t] Maries June 30[th] 1681 :

The hon[ble] { The R[t] hon[ble] the Lord Prop[ry] / Philip Calvert Esq[r] Chancelor / William Calvert Esq[r] Secry } Then Present

Jackanapes an Indian als. Passanucohanse belonging to the King of Mattawoma Declares that on New Yeares Day last he was taken prisoner by the Sinniquos from the Mattawoman ffort, that when they came now lately before the Zachaia ffort he came with them, that about a Day or two before they came to the fort they sent out two Canooes in one tenn Sinniquos and in the other tenn Susquesahannohs and a Pascattoway Indian whom they had taken prisoner for their guide with orders to goe downe Pottomock River and soe to Pottuxen River on purpose to hunt for other Indians whom
p. 202 they suspected might be gotten downe among the English Plantations in some of the Necks.

this Relation was delivered by the said Indian to Majo[r] Boareman the interpreter who delivered the same to this board.

Ordered that John Stavely be sent for Thomas Keeting to appeare before his L[spp] and Councill by tenn of the Clock to morrow morning and bring with him the Maukasins that were lately found at the lower end of the towne upon takeing the Indian prisoners, and now in the custody of John Woodhouse, ordered also that for the more speedy dispatch the said John Stavely be empowered to press a horse

You are hereby Authorised and empowered as also willed and required upon sight hereof to press a horse to goe downe to the lower end of the towne to the house of Thomas Keeteing whom you are to summon to appeare before his L[spp] and Councell to morrow morning by tenn of the Clock, and that he bring with him the Maucasines lately taken with the Indian prisoners and now in the custody of John Woodhouse whereof he is not to faile

Dated the thirtieth Day of June Anno Dmi 1681 :

To John Stavely Signed p ord[r]

This. p John Llewellin Cl Consil.

Then also passed this following ord[r] concerning writts of Erro[r] in the Assembly viz.

By his L[spp] and Councill

Whereas his L[dspp] for the dispatch of the publick affaires of the Province hath thought fitt to conveene the Assembly upon the sixteenth day of August next, and his L[spp]: being

this Day informed that there are severall writts of Error Lib. R.
depending to be Determined in the upper house of Assembly
touching severall Actions lately depending in the Provinciall
Court in which causes severall of the Atto^{r}neys that are mem-
bers of the lower house of Assembly are concerned for their
Clyents, and being given to understand that for want of a law
to direct how and when such Errors shall be assigned and
filed the Plaintiffes in such Erro^{rs} have hitherto vsed to file
their Errors not before the beginning of the Assembly with
the Clerk of the upper house, soe as the Clerk of the house
and the Atto^{r}neys members of the Lower house that are for
the Defendants being otherwise concerned in the publick
business are streightened in point of time to make Coppyes
of the said Erro^{rs} and to consult their Clyents cause how to
plead to the said Erro^{rs} and Defend themselves against the
same haveing not above two or three dayes time allowed
them to consider thereof whereby the Def^{ts} are often Sur-
prised to the endangering the loss of their cause for want of
a due consideration thereof, the Plaintiffes haveing One two
or three yeares time commonly for the prepareing the said
Erro^{rs} by meanes whereof also his L^{spp} and the Countrey
affaires have been retarded ffor prevention whereof and till a
future provision shall be made touching the same his L^{spp}
hath thought fitt and by the advice of his Councill hath ord^{r}
that all Plaintiffs in such Errors doe by the first day of August p. 203
next Assigne and file their Erro^{rs} with the hon^{ble} the Secry or
M^{r} John Llewellin Clerk of the upper house of Assembly to
the End the Defendants in the said Erro^{rs} may take coppies
thereof and file their severall pleas to the same by the tenth
Day of the same August, soe as both parties may be duely
prepared to consider of their causes and be ready to receive
the judgem^{t} of the upper house touching the same at such
peremptory Day as the said upper house shall appoint to
heare the same, that the publick business may in noe wise be
hindered or delayed. Off which the Atto^{r}neys of the Provin-
ciall Court and all persons concerned therein are to take
notice at their perill.

order passed June 30th 1681 : Signed p ord^{r}
To the Sheriffe of S^{t} Maries p JLlewellin Cl Consil.
County or his Deputy to be proclaimed
in the most publick and Convenient
places of the said County This
Idem to every County throught the Province.

At a Councill held at the City of S^{t} Maries the first Day of
July Anno Domini One Thousand Six hundred Eighty One

Lib. R.

The R^t hon^ble the Lord Prop^ry
The hon^ble { Philip Calvert Esq^r Chancelo^r } Present
William Calvert Esq^r Secry

At which time was produced by his L^spp and read to this board the foll L^re from Cap^t Brandt viz.

May it please your L^dspp:

Your L^dspps Letter relateing to the Troopers have Communicated to them, and they seeme to be very well Satisfied therewith, I have little to offer your L^dspp: but the inclosed paper it being a rude Draught of what I have recd: from an Indian formerly taken by the Quiaquos and now come from them ffriday last I had some intelligence of the forreigne Indians in the upper parts of our County seene by the Inhabitants there, I have ranged ever since but cannot have the sight of them being now come in for a Recruite I intend (God willing) to be out againe and if cann meete with them shall vse my utmost to follow your L^dspps Commands, Our County affords an Interpret^r that speakes Susquesahannoh one Peter Kellis that hath been some time with the said Indians if your L^dspp approves of it shall make vse of him if occasion offers. Our neighbouring Indians would very faine goe out with me to the number of tenn for that they say wee shall hardly see them, unless by a chance, the which I leave to your L^spps consideration, I very much want Eight or tenn Carabines for my Troope, if cann be spared shall send for them, One of them
p. 204 the Post hath promised to bring. Since the treate with the abovesaid Indians and the Zachaiahs, One of their greate men killed by a Scoute. I am just now returned from Zachaiah fort but cannot discover any fforreigne Indians, I shall not omitt any oportunity to treate with them and give your L^spp a full acc^t thereof here are some persons of our County that possesseth my Officers their Commissions are not in force they being signed by the late Lievetenant Generall M^r Notley dureing his pleasure, I humbly request your L^dspp to send others by the returne of the next post, viz: One for my Self if with your L^spps good likeing, one for my Lievetenant George Godfrey, one for Robert Middleton Cornett, M^r Hawkins haveing sollicited to be out his wife being lately dead, and One for a Quarter Master to be left blank for whom I shall see most deserving if approoved by your L^dspp: I have nothing worth your L^spps view but the tender of my best endeavours Subscribing alwaies

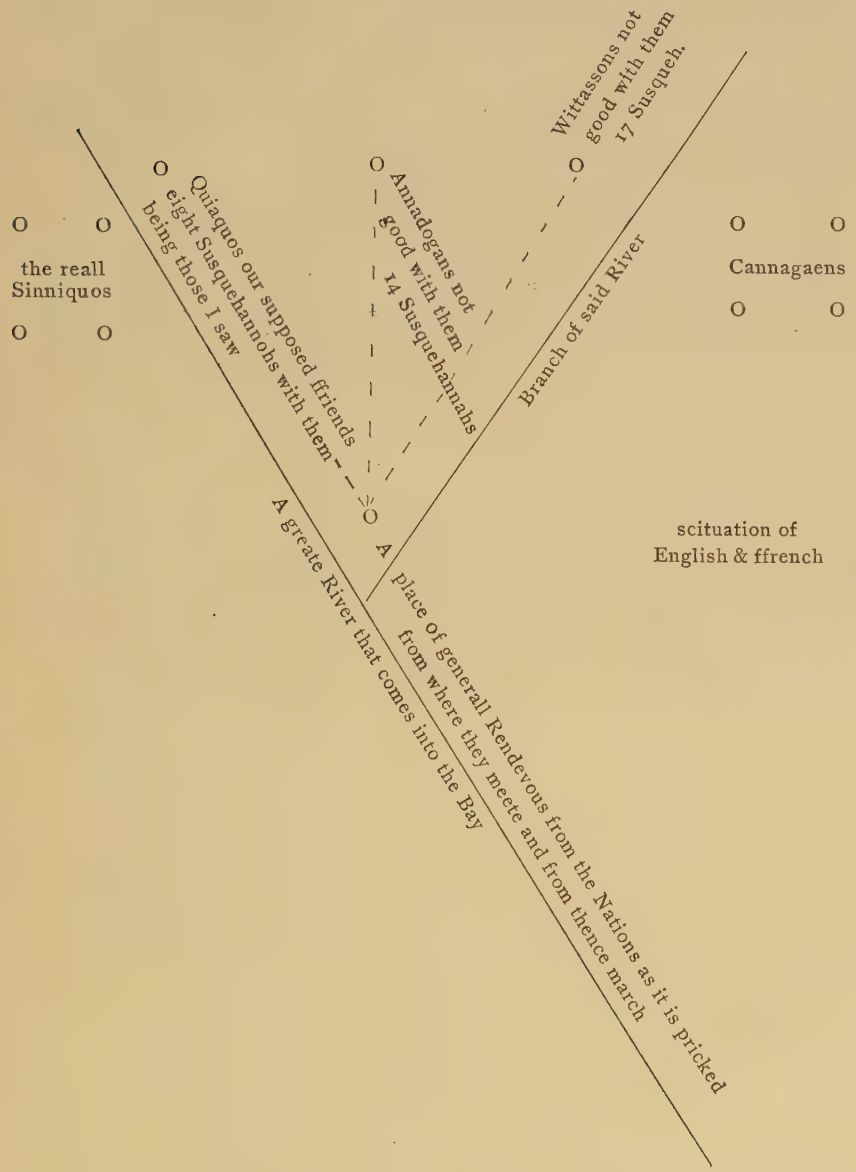
Your L^dspps ffaithfull Servant
Rand^o Brandt

from Coll Chandlers house
June the 30^th 1681:

May it please your L^{dspp}:

Lib. R.

I would request your L^{spp} to afford me your further Instructions if in case I cannot bring the fforreigne Indians to any reasonable complyance my hands are tyed up I shall be loth to Sacrifice soe many good men and not to doe something for the hono^{r} of your L^{spp} and good of this Province, neither would be an instrument to create a warr with soe potent an Enemy



This Description is given from an Indian called Jackanapes taken by the Quiaquos the first day of Jan^{ry} last past w^{ch} said

Lib. R. Indian did belong to the Mattawoma ffort and was seene by the subscriber at the Zachaiah ffort the 18th of this instant when the peace was made, and since made his Escape as he saieth.

Certified June the 26th 1681:
Randº Brandt.

p. 205 Then issued by ordr of his Ldspp and Councill these following Instructions to Captª Brandt viz.

Instructions for Captª Randolph Brandt directing the Execution of his Commission to treate with the Northern Indians that make inroades in this Province.

Since we have certain Intelligence that there hath been tenn Susquehannohs and tenn Sinniquos dispatch'd from this greate party downe Pottomock with a Prisoner for their guide to trye what Indians they cann surprise, and since we have certain Intelligence that where the Susquehannohs meete either Indian or English they give noe Quarter. It is too apparent that the Northern Indians refuseing to treate with Captn Brandt at the Zachaiah ffort is out of a designe to watch an oportunity to doe what mischiefe they cann To prevent therefore (if possible) more murder of his Majesties Subjects You are

1: ffirst to Demand Tenn Pascattoway Indians for your guides that soe you may employ them as your Scoutes to find out these Northern Indians in order to treate with them.

2: You are to secure these Indians from all violence other then what may be offered them as they are single when out upon discovery

3: If the forreigne Indians assault you, you are to defend yourself after the best manner you cann, and if overpowered to make as honble a Retreate as you may the number of the Enemys considered.

4: If you come to treate with the said Indians, you are to make noe peace with them but what shall equally include us and the Zachiah or Pascattoway Indians, the Mattawomans Choptico and all other Indians Inhabiting within this Province in peace with us and under our protection

5: In case you meete with the Northern Indians, and that they refuse to treate or doe not upon treaty conclude a peace with you. You are to lett them know that we have had severall murders committed of late, that we doe know there was tenn Susquesahannohs and tenn Sinniquos sent downe Pottomock with a Pascattoway prisoner for their guide, with ordr to goe to the mouth of Pottomock and soe to goe up to the Northward which number of men have been discovered in severall

places, & that we shall have just cause to beleive that these men have committed the late murders unless they come to a new peace with us, and upon this last refuseall to forbid them comeing neere the English Plantations. Lib. R.

6: In case you find the Indians inclinable to make a peace you may (according to your former instructions) make them a present of a peace of Matchcoate.

7: You are to vse your utmost skill to Instruct your men to fight on foote like Dragoones though they vse horse and pistolls as well as Carabines as they march, it being the surest way to resist an Indian.

Dated the first Day of July Anno Dmi one thousand Six hundred Eighty One

Signed by ord^{r} of his L^{dspp} and Councill
p John Llewellin Cl Consil

Then also issued Commissions to Capt^{n} Randolph Brandt for Capt^{n} of a troope of horse George Godfrey his Leivetenant, Robert Middleton his Cornett, and a blank for his Quarter Master to be filled up by himself under his L^{spps} hand and Seale at Armes according to the common forme, as also a particular Com̄ission to the said Capt^{n} Brandt upon this occasion being as foll viz p. 206

Maryland ss: Charles Absolute Lord and Prop^{ry} of the Province of Maryland and Avalon Lord Baron of Baltemore &c. To Captain Randolph Brandt of Charles County greeteing

Whereas greate Troopes of the Northern Indians have and doe daily make inroades and incursions into this our Province to the greate terror and confusion of the Inhabitants thereof, and highly to be suspected upon noe good Designe, we haveing already had some murders lately committed by strange Indians upon severall good people of this Province Wee Doe therefore by and with the advice and consent of our Councill hereby Authorise and empower as also strictly charge and Command you Cap^{t} Randolph Brandt commander of a troope of horse in our said County to Range with your troope or such and soe many men thereof well mounted and armed as you shall from time to time think necessary for the Discovery of the said Indians with whom you are to endeavour by all faire waies and meanes possible to come to a treaty according to the Instructions from us and our Councill this Day to you Directed, And in case you or any of your Troope shall be assaulted by any the said Indians or other Enemys, or that they by any waies or meanes offer to breake peace, by open violence or privately contriveing and conspireing to sett upon

Lib. R. or betray you or any of you or any English Plantation or People You are to the best of your skill knowledge and endeavour, and to the utmost of your might and power, to fall upon, pursue, fight, take, kill, vanquish and Destroy all such Enemys, or otherwise if you shall be at any time overpowered, you are to contrive and make what hon^ble^ retreate possibly you cann with your Company for such further aid and assistance as shall be Deemed necessary for your Recruite with regard had to the number and power of your Enemy according to the teno^r^ of your said Instructions; ffor all which this shall be your sufficient power.

Given under our hand and Seale at Armes this first Day of July in the sixth yeare of our Dominion &c Annoq Domini 1681:

W^ch^ foregoeing Instructions and Comissions were enclosed in the foll Letter to Cap^t^ Brant viz

Cap^t^ Brandt

Yours of yesterdays Date I recd: and have Communicated to my Councill the contents thereof, as touching your Desire to entertain Peter Achellis it is approoved off and he may at
p. 207 any time be joined with any other Indian Interpreter as you shall see occasion, ffor the rest of your Letter the Commissions and Instructions inclosed will fully answer, your constant care in adviseing of all Occurrences I commend and Desire y^u^ to continue the same to Your Lo. ffriend

S^t^ Maries July 9^mo^ 1681: C: Baltemore

At a Councill held at S^t^ Maries the 14^th^ Day of July Anno Dmi 1681:

The R^t^ hon^ble^ the Lord Prop^ry^
The hon^ble^ { Philip Calvert Esq^r^ Chancello^r^ / William Calvert Esq^r^ Secry / Coll Henry Darnall / George Talbot Esq^r^ / William Digges Esq^r^ } Present

At w^ch^ time M^r^ John Tyrling according to summons makes his appearance and being called is charged with haveing uttered mutinous and seditious words to the people his Auditors Sayeing that his L^spp^ the Lord Prop^ry^ had furnished the Indians with powder and shott and noe wonder then the English had their throats cutt when the Prop^ry^ gave them powder and shott for that purpose & words to that effect

for Evidence is called William Hodgeson who Declared

That James Rumsey Reported that M^r^ Tyrling should say

in presence of Coll Jowles and others that the Indians had Lib. R.
received powder and shott from his L^spp^ and noe wonder they
cutt our throates when his L^spp^ furnished them with powder
and shott. M^r^ Tyrling prayes the testimony of Coll Jowles
or any other person of note that was then his Auditors when he
spake these words otherwise if onely the said Hodgeson
heard it it cannot be tearmed sedition, but further Denies that
he said any such thing but that sometime since came a man
to his house and told him that M^r^ Rosewell should report that
one Daniel Mathena of Charles County would offer to sweare
that his L^spp^ had sent a Packett of letters to the Sinniquos for
them to come and cutt off the Protestants, to w^ch^ he the said
Tyrling Replied that the said Mathena and those who reported
it after him ought to be whipped, that possibly he might tell
this to some other person at some time but the words laid to
his charge or any thing tending thereunto he utterly Denies.

William Hodgeson further saith that James Rumsey (as
Simon Stacy told him) made this Report of M^r^ Tyrling before
The said Stacy. Thomas Lawson Richard M^r^ Darceys
Overseer and others

The further heareing and Examination whereof is referred
till thursday next the 21^th^ of this instant July at w^ch^ time to be
summoned James Rumsey Simon Stacy, Thomas Lawson and
Darceys Overseer, and M^r^ Tyrling to give bond to the
sheriff of 20000^lb^ tob^o^ for his appeareance then at this board. p. 208
accordingly issued the following ord^r^ to the sheriff of Calvert
County to summon the persons aforesaid viz

By the Lord Prop^ry^ & Councill

You are hereby willed and required as also strictly charged
and comanded to summon James Rumsey, Simon Stacy,
Thomas Lawson, and Richard M^r^ Darceys Overseer all of
your County that all excuses sett apart they and every of them
be and personally appeare before his L^spp^ and Councill at the
City of S^t^ Maries on thursday next the One and twentieth
instant by Nine of the Clock in the morning to testifye the
truth of their knowledge to what shall be proposed unto them
in behalf of the R^t^ hon^ble^ the Lord Prop^ry^ whereof they are not to
faile at their perill Dated the fourteenth Day of July in the
sixth yeare of his L^spps^ Dominion &c. Annoq Domini 1681:

Signed p ord^r^

To Coll Henry Jowles high Sher. p J Llewellin Cl Consil
of Calvert County or his Dep^ty^

This

Then also issued the following ord^r^ to the Sheriff of S^t^
Maries County to summon Richard Edelen viz

Lib. R. By the Lord Propʳʸ and Councill

You are hereby willed and Required as also strictly charged and commanded to summon Richard Edelen of your County that all excuses sett apart be and personally appeare before his Lˢᵖᵖ and Councill at the City of Sᵗ Maries on Thursday next the One and twentieth instant by nine of the Clock in the morning to testifie the truth of his knowledge to what shall then and there be propounded unto him in behalf of his Lˢᵖᵖ: the Rᵗ honᵇˡᵉ the Lord Propʳʸ Whereof he is not to faile as he will answer the contrary at his perill Dated the fourteenth Day of July in the sixth yeare of his Lˢᵖᵖˢ Dominion &c Annoq Dmi 1681: Signed ꝑ ordʳ

To Major William Boareman ꝑ John Llewellin Cl Consil
high Sher of Sᵗ Maries County or
his Deputy

This

Capᵗ Josias ffendall then next called to whom was read the following Depositions viz

John Bright aged thirty and two yeares or thereabouts being duely sworne doth upon his oath say and Depose as followeth

p. 209 That being about the 11ᵗʰ May last employed by Captⁿ ffendall to Mall some railes for him at his Plantation in Charles County and there working till the fourth of June he did in that tyme and severall tymes since heare the said ffendall discourse concerning the Indians and particularly about the family that was cutt off neere Point looke Out, The said ffendall did severall times say that he beleived in his Conscience the Papists and Indians joined together, and that his Lˢᵖᵖ the Lord Propʳʸ nor the Chancelorʳ would not beleive any thing as the Indians did doe but that my Lord did uphold them in what they did, and he beleived my Lord and they together had a mind to destroy all the Protestants or vsed words and expresions to that very purpose or effect, And this Deponent saith on Sunday the 26ᵗʰ day of June last Captⁿ ffendalls and his wife went to Capt. Coodes to a ffeast being sent for in Capᵗ Coodes boate and came home at night, That on Tuesday or Wednesday the 29ᵗʰ June Capᵗ ffendall went over to Coll Spencers in one Mʳ Hatches boate, and beleives that he called by the way for Capᵗ Coode and tooke him over with him, and Capᵗ ffendall told this Deponent that Coode damned and swore soe much that he said he could have found in his heart to have throwne him overboard. That this Deponent haveing a Designe to goe to the Southward and to carry his ffamily wᵗʰ him he bought a boate of Capᵗ ffendall for to carry him thither, and Capᵗ ffendall did then very much disswade

this depon[t] from goeing to the Southward, but this deponent Lib. R.
said S[r] you know I have a greate charge, a wife and four
Children and I cannot gett a peice of land here in Maryland
I must goe to gett some at the Southward where it is more
plenty, to which ffendall replyed and said John Stay but a
little while here, there will be land enough for us all here one
of these dayes. This Deponent asked him how and ffendall
said the King and Parliam[t] in England was at Warrs and
there was noe Established Lawes in England, and soe you
need not feare land enough here in a short tyme, but notwith-
standing this Depon[t] was resolved to goe and on Saturday
the second instant this Dep[t] tooke a note from Cap[t] ffendall
that he had honestly paid him for his boate and sett away
with his wife and Children for his intended voyage to the
Southward, and the wind proving cross they were driven into
Nomony in Virginia, and there went to One Randall Kirkes,
and Kerk asked us from whence we came, we told him from
Cap[t] ffendalls, Kirk told them that ffendall had been over
there two or three Dayes before with Cap[t] Coode at Coll
Spencers, and that their business there was to advise with
Coll Spencer what they should doe in the business, for that
the Papists and Indians were joined together, and told the
Deponent and his wife also that Cap[t] ffendall had desired
leave of Coll Spencer, that ffendall might bring his wife and
ffamily thither, but that Madam Spencer was unwilling to lett
them come thither because she was unwilling to disobleige
my Lord Prop[ry] or words to that effect; that they staied there
one night and came from thence on Sunday after Dinner and
then went to Coll Spencers Point and laid there Sunday
night, and there likewise heard ffendall and Coode had been p. 210
there, and the said Randall Kirk also told this Deponent that
he saw them there, and that Coll Spencer being asked his
advice by ffendall and Coode what they should best to doe,
and that they should say they would have a brush with the
Papists Coll Spencer advised them not to meddle in the busi-
ness but to lett them alone and be quiett at home or words
and Discourse to this Effect had this Deponent with the said
Kirk and much more that this Deponent cannot now posi-
tively remember, but the generall discourse there was about
ffendalls bringing his wife and Children to Coll Spencers, and
Cap[t] Coode was to bring his wife and Children to M[r] Hard-
wickes. That on Monday they went onwards in their voyage
and were forced to putt into Herring Creeke in S[t] Georges,
and there mett with John Wynn who enquired of news, we
answered him wee had none bad, he replyed here was news
bad enough, there was a family cutt off at Point Looke out
and that they were forced to keepe watch and ward night and

Lib. R. Day expecting every houre to be cutt off by the Papists and Indians together. The Dep[t] asked him how he heard that news, he said Capt. ffendall had been that way in his way to Coll Spencers, and that ffendall did intend to stirr in it to prevent the Protestants being destroyed, they asked Wynn how ffendall could raise men where was his power or Comission, Wynn to that said he knew his owne power well enough he could have men enough when he pleased, for he had once a weeke or ffortnight Intelligence from the Eastern shore and all parts of the Countrey or words to the like effect then this Deponent with his ffamily came to Point Looke out, and there lay One night, and finding the winds soe various and against them they putt in to Richard Atwoods at S[t] Jeromes on Wednesday last where they left off their resolution of goeing to the Southward. And further this Deponent saith not, onely this Deponent doth remember that Randall Kirk told this Deponent that when Coll Spencer advised ffendall and Coode to be quiett and sitt still, Coode swore God Damn all the Catholick Papist Doggs, and swore he would be revenged of them, and spend the best blood in his body.

Juravit 14 July 1681 :
Philip Calvert

Izabell Bright wife of the said John Bright being duely sworne saith That she haveing heard the said Oath of the said John Bright her husband read distinctly over, the same is in substance true as the said John Bright hath above declared, and that she was by and present when Kirk and Wynn vsed the discourses above mentioned, and that she hath severall tymes heard Capt[n] ffendall say and express himself to this effect at his house & plantation in Charles County within this two moneths last past that he beleived in his Conscience the Papists and Indians joined together to destroy the Protestants, and that discourseing off the ffamily cutt off by the Indians neere Point Looke Out ffendall said it was thought the Indians were thereunto Encouraged by the Papists, and that
p. 211 some of the English came to the Chancello[rs] to know what they should doe, and that the Chancello[r] made a pish at it, and said it would be knowne before this tyme twelve moneth what they were killed for or words to that effect.

Juravit 14: July 1681 :
Philip Calvert

Cap[t] ffendall Denyes the charge and prayes the testimony of Coll Spencer concerning what is alledged against him that he should say at his house, that Creditt ought not to be given

to the Deponent he being an Infamous person and hath been whipped in Virginia for Thieving and stealeing Cask Lib. R.

The further heareing and Examination thereof is referred till next Councill Day and Capt. ffendall remanded into the Custody of Coll Henry Darnall to remaine under a guard at his L^dspps house at Mattapony.

Capt John Coode then called to whom the foregoing Deposition of John Bright was again read as also this following Deposition of Collen Mackenzie viz.

The 7th Day of May 1681 : at the house of Nehemah Blakistone John Coode said to me what Divell need you trouble your Self with land, there is never a Papist in Maryland will have one foote of land within these four moneths, and that the Sinniquo Indians would doe us noe good for he had tenn thousand men at Command when he pleased, and that he could make it high water when he pleased. And further saith not Coline Mackenzie

Juravit coram me Die et Anno p^rdictis
Philip Calvert

Those words that he could make it high water when he pleased Capt^n Coode acknowledges he might say alludeing to a bowle of Punch w^ch they were then drinking w^ch he could make ebb or flow at pleasure but as to the Rest of the Deposition he wholly Denies, and saith that when he was at M^r Blakistones there were severall others then in Company with him viz. Capt Gerard, John Shankes, John Dennis, John Hopkins, Nea Blakiston, Joshua Guibert Robert Cole, ffendall the Master of the shipp and others, wonders why some of them should not heare the same words spoken as well as the Deponent (if any such were)

But the further heareing and examination is referred till next Councill Day and Capt^n Coode to remaine in Custody under a guard at the Chancelo^rs house.

Ordered that Proclamation issue requireing the putting in Execution the Lawes made against Divulgers of false news &^c

[Divulgers of False News.] Lib. R. R.

By the L^d Prop^ry

Maryland ss A Proclamation

The mischiefe of spreading falce Rumors & reports being alwaies a growing Evill that seldom ends otherwise then in distruccōn of the publick peace & in no place vsed with

Lib. R. R. greater Confidence then in this o[r] Province nor at any time more then now in this time of Danger by the Incursions of Foreigne Indians, when the minds of People ought to be most vnited & whereas divers good Lawes are now in force ag[st] divulgers of falce news Rumo[rs] & reports though (wee feare) either forgotten by the People, or neglected to be executed by the Majestrate Wee, do therefore by this our Proclamacō require all the good people of this our Province to take notice of the said Lawes Wee being resolved to see them exactly prosecuted & duely executed & to th[t] end do by this o[r] Proclamacōn strictly Charge all Officers both millitary & Civill to make diligent enquiry after all divulgers of falce news & reports, tending to the disturbance of the peace of this o[r] Province, & them found out to apprehend & bring
p. 187 before some Majestrate theire to finde sureties for their good behaviour & appearance at o[r] then next Provintiall Court, to the end they may be proceeded ag[st] according to Lawe & receive Condigne punishment for the same Given at our City of S[t] Maries vnder the great seale of this our said Province of Maryland the ffourteenth day of July in the sixth yeare of o[r] Dom &c[a] Annoq Dom. One thousand six hundred Eighty & One Philip Calvert

Lib. R. p. 212 At a Council held at the City of St. Maries the One and twentieth day of July Anno Domini 1681:

The R[t] hon[ble] the Lord Prop[ry]
Philip Calvert Esq[r] Chancelo[r]
William Calvert Esq[r] Secry

John Hoskins of S[t] Maries County according to summons from his L[spp] to him formerly directed makes his appearance at this board

Who was charged with saying in some Company that if he had said half soe much as Cap[t] Coode had said he would runn away too, and being required to testifie upon oath what it was Cap[t] Coode should say to cause those expressions to come from him being duely sworne saith that possibly in drink such or the like words might by him be spoken but that Coode should speake any thing mooveing him thereunto he knowes not being sometimes apt to talk at randome in drink and speake what he cann give noe Accompt of

William Hodgeson according to order of this board the last Councill Day makes his appeareance and haveing taken his oath upon the holy Evangelist saith that being up at a horse Race at M[r] Rumseys in Company with Simon Stacy and others he told Stacy that he heard he had fforted in his house,

To w^ch^ Stacy replyed he was afraid of the Indians ffor that M^r^ Tyrling had reported My Lord had furnished them with powder and shott, And that he called Thomas Lawson, and Richard Thomas to witness that M^r^ Rumsey heard M^r^ Tyrling say soe. Lib. R.

Simon Stacy called Denyes that he ever said any such thing of M^r^ Tyrling

Thomas Lawson called Denyes that he was desired to witness any such thing or that he heard any such thing said

Richard Thomas saith that he heard M^r^ Rumsey say that M^r^ Tyrling should say My Lord had furnished the Indians with powder and shott.

James Rumsey then called Saith that haveing formerly heard the Report of his L^spps^ furnishing the Indians with powder and shott and being One Day at Church before it begann it was the generall discourse amongst the people there that My Lord had lett the Indians have powder and shott, and that M^r^ Tyrling amongst the rest said he heard soe too but could not give any creditt to it

M^r^ Tyrling is Discharged from his Recognizance taken last Councill Day and from his further appeareance at this board upon this occasion

At a Councill held at the City of S^t^ Maries the Eight and twentieth day of July Anno Domini 1681: p. 213

The hon^ble^ { The R^t^ hon^ble^ the Lord Prop^ry^ ; Philip Calvert Esq^r^ Chancelo^r^ ; William Calvert Esq^r^ Secry ; Vincent Lowe Esq^r^ Sur. Gen^ll^ ; Coll Henry Darnall } Present

Coll Vincent Lowe gives the board to understand that he had recd: information from Majo^r^ William Coursey that about the beginning of June last about One or two and twenty Indians belonging to Tequassino and Hatsawapp on the Eastern shore departed from their Townes and made for the Western shore pretending they were at Coll Taylors and John Watkinsons, and that but halfe of them returned again, that Tequassino was heard to say his Indians were gone out and he wished there might be noe mischiefe done before they returned for he knew not what Designe they went upon. He was likewise informed from M^r^ Thomas Vaughan that some English endeavoured to speake with the said Indians upon their returne but the Indians avoided them.

Ordered that Coll Lowe and Coll Philemon Lloyd be Empowered to enquire into the truth of the said Information

Lib. R. and that they take the Examination of Majo^{r} Coursey and M^{r} Thomas Vaughan with what other English Evidences they shall think fitt touching the premisses, and that (if for their better discovery they shall see occasion) they send for Tequassino and what other Indians they think fitt to Examine concerning the same, or otherwise before they proceed soe farr that they send downe to his L^{spp} and Councill the English Examinations by them taken if to them it shall seeme most proper soe to doe for the better discovery thereof.

Accordingly issued and was Directed to Coll Lowe and Coll Lloyd the following power and order from this board viz

By the Lord Prop^{ry} and Councill

Maryland ss.

Whereas Information hath this day been given to his L^{dspp} and Councell that in or about the beginning of June last past, One or two and twenty Indians belonging to the Kings Tequassino and Hattsawapp of Choptank in Talbott County went abroad under pretence that they went to Coll Taylors and John Watkinsons, and that Tequassino was heard to say some of his Indians were abroad, he wished there might be noe mischiefe done before they returned for he knew not Designe they went upon, That onely half of the said Indians that went out returned home, whom some English perceiveing
p. 214 endeavoured to speake with but could not the Indians avoiding them, And whereas about a ffortnight after the said Indians went from their Towne, the murder was committed neere Point Looke Out.

These are therefore to Authorise and Empower as also to will and Require you Coll Vincent Lowe and Coll Philemon Lloyd of Talbott County aforesaid to call before you Majo^{r} William Coursey and Thomas Vaughan of the County aforesaid gentl and such others whom you shall think fitt to Examine upon oath or otherwise concerning the premisses in order whereunto you are exactly to enquire and informe yourselves the time when the Indians sett forth, what number of them, whither they went what their business, where they were all the time of their absence, when they returned part of them what became of the rest, why they refused or avoided to speake with the English, and all other pregnant Circumstances relateing thereunto, wherein you are to make all Diligent search and scrutiny to find out the truth; ffor the better effecting whereof you are (if you see occasion) to Examine also Tequassino and what other Indians you think fitt concerning the same upon such necessary propositions as to you shall seeme meete relateing to the premisses, or otherwise you are

to transmitt to his L^spp and Councill the English Examinations by y^u taken before you proceed to speake with the Indians according to your discretion which to you shall seeme best for the better discovery of the premisses and his L^spps and Councills more cleare Information ffor all which this shall be your Sufficient Warrant. Dated the Eight and twentieth Day of July in the Sixth yeare of the Dominion of the Right hon^ble Charles &^c Annoq Domini 1681: Lib. R.

To Coll Vincent Lowe and Coll Philemon Lloyd of Talbott County — Signed p ord^r p John Llewellin Cl Consil. These

Ordered that Comissions for tryall of Causes and for the Peace issue a new for Calvert County to Capt^n Samuel Bourne, Roger Brooke Cap^t Richard Ladd & John Griggs, Thomas Sterling Thomas Brooke, Richard Marsham, George Lingan, John Craycroft ffrancis Collier, ffrancis Hutchins, and Samuel Taylor gentl

Coll Henry Jowles as sheriff being left out, and Capt^n Ladd placed in statu Quo prius

The Commissions are as foll viz

Charles Absolute Lord and Prop^ry of the Province of Maryland & Avalon Lord Baron of Baltemore &^c To Cap^t Samuel Bourne, Roger Brooke, Richard Ladd, John Griggs, Thomas Sterling, Thomas Brooke, Richard Marsham, George Lingan, John Craycroft, ffrancis Collier, ffrancis Hutchins, and Samuel Taylor of Calvert County gentl greeteing in our Lord God Everlasting. Know yee that wee considering with our Self that this our Province depends wholly upon trade, and that we have not as yett money come amongst the people here Inhabiting to carry on trade, soe that the Planter and merchant are both forced to make many Debts which causeth many suites at Law, as also that speedy Justice in the recovery of Debts is therefore the life of all trade, and also that speedy Justice may be done betweene party and party, We have Assigned you the said Samuel Bourne, Roger Brooke, Richard Ladd, and John Griggs, Thomas Sterling, Thomas Brooke, Richard Marsham, George Lingan, John Craycroft, ffrancis Collier, ffrancis Hutchins and Samuel Taylor or any four or more of you (whereof you the said Samuel Bourne, Roger Brooke, Richard Ladd, and John Griggs are alwaies to be one) Justices within our said County of Calvert to heare and Determine all causes or Actions of Debt howsoever and in what manner soever ariseing, all actions of trespass upon p. 215

Lib. R.

*ariseing for goods, wares or other things delivered money or goods lent, or upon note booke or Accompt without restraint to any summe or Quantity whatsoever also all actions of trespass

the case* quare clausum fregit, (provided noe title to Land depends upon the triall of such actions) Detinue, sur-trover, Replevin, Actions of accompt, Covenant, waste, assault, menace, battery and imprisonm^{t} or Actions of slander for words spoken, provided that in the Declaration drawne and filed in and upon any the said Actions of trespass, quare clausum fregit, Detinue, Sure-trover, Replevin Actions of Accompt, covenant waste, assault, menace, battery, and Imprisonment or Actions for words spoken before mentioned the Damages laid doe not exceed the summe of Sixteene hundred pounds of tobacco. And therefore we command you that at the certain dayes settled by the law of this our Province for holding Courts in our s^{d} County, the said Actions you enquire into, heare, and Determine, and after judgement execution to award, Doeing therein what to Justice appertaineth according to the Lawes and reasonable Customs of this our Province, Saveing to us the Amerciam^{ts} and other thinges to us appertaineing, and to all his Majesties Subjects resideing here under our immediate protection or tradeing within this Province their right of appeale and bringing writts of Erro^{r} in our Provinciall Court as now by law is settled. And we command the sheriff of our said County that at the Dayes and places by you or any four or more of you to be appointed as aforesaid he cause to come before you such and soe many honest and lawfull men of his Bayliwick by whom the truth of the premisses may the better be knowne and enquired into; And Wee doe hereby declare that it shall and may be lawfull and we doe hereby Authorise and empower any One (and noe more at any One time) of our Justices of our Provinciall Court resideing and Inhabiting in our s^{d} County of Calvert to sitt with the afores^{d} Justices as President in the heareing and Determineing all or any the aforesaid Actions, And that such One of the Justices of our Provinciall Court resideing as aforesaid and three of the aforesaid Justices to be sufficient for the holding Courts for the Determineing the causes and Actions aforesaid. Anything aforesaid to the contrary notwithstanding In Testimony whereof we have caused the greate Seale of our said Province of Maryland to these presents to be affixed the
p. 216 eight and twentieth Day of July in the Sixth yeare of our Dominion &c. Annoq Domini One Thousand Six hundred Eighty One.

Charles Absolute Lord and Prop^{ry} of the Province of Maryland & Avalon Lord Baron of Baltemore &c To Cap^{t}

Samuel Bourne, Roger Brooke, Richard Ladd, John Griggs, Lib. R.
Thomas Sterling, Thomas Brooke, Richard Marsham, George Lingan, John Craycroft, ffrancis Collier, ffrancis Hutchins, and Samuel Taylor gentl greeteing. Know yee that wee for the greate trust and confidence wee have in your ffidelityes circumspections, prudences and wisdomes, have Constituted, ordeined and appointed, and doe by these presents constitute ordeine and appoint you the said Samuel Bourne, Roger Brooke, Richard Ladd, and John Griggs, Thomas Sterling, Thomas Brooke, Richard Marsham, George Lingan, John Craycroft ffrancis Collier ffrancis Hutchins and Samuel Taylor gentl Comissioners jointly & severally to keepe the peace in Calvert County, and to keepe and cause to be kept all Laws and orders made for the good and conservation of the peace, and for the quiett rule & government of the people in all and every the Articles of the same, and to chastise and punish all persons Offending against the forme of any the Lawes and orders of our s^{d} Province or of any of them in Calvert County aforesaid as according to the forme of those lawes and orders shall be fitt to be done, We have also constituted and ordeined you and every four or more of you (of which you the said Samuel Bourne, Roger Brooke, Richard Ladd, and John Griggs (unless some one of our Councill be present) are also to be) Our Commissioners to enquire by the oathes of good and lawfull men of your County aforesaid of all manner of ffellonies, Witchcrafts, Inchantm^{ts} Sorcerys, Magic, arts, Trespasses, fforestallings, Ingrosseings and extortions whatsoever and of all and singular other misdeeds and Offences of which Justices of the peace in England may or ought lawfully to enquire by whomsoever or whensoever done or perpetrated or which hereafter shall happen to be done or perpetrated in the County aforesaid against the Laws and orders of our said Province, Provided you proceed not in any of the Cases aforesaid to take life or member, but that in every such case you send the prisoners with their Indictments and the whole matter depending before you to the next Provinciall Court to be holden for our said Province, whensoever or wheresoever to be holden, there to be tryed. And further wee doe hereby Authorise you to issue Writts, processes, Arrests, and Attachm^{ts} To hold plea of Oyer and terminer, and after judgement Execution to award in all causes civill whither in actions reall or personall according to the Lawes orders and reasonable customs made and vsed in our said Province of Maryl^{d} in which causes civill soe to be tryed Wee Doe constitute ordeine and appoint you Samuel Bourne, Roger Brooke, Richard Ladd and John Griggs to be Judges as aforesaid, unless some One of our Councill be then in

Lib. R. Court And therefore we command you that you diligently intend the keepeing of the peace Laws and orders, and all and singular other the premisses, and at certain dayes appointed according to Act of Assembly in that case provided and such places which you or any four or more of you as aforesaid shall in that behalf appoint Yee make Enquiries
p. 217 upon the premisses and perform and fullfill the same in forme aforesaid, doeing therein that which to Justice appertaineth according to the Laws orders and reasonable Customs of our said Province, Saveing to us the Amerciam^ts^ and other things thereof to us belonging And therefore wee command the Sheriff of the said County of Calvert by vertue of these presents that at the Dayes and places aforesaid which you or any such four or more of you as aforesaid shall make knowne to him to give his attendance on you, and if need require to cause to come before you or any such four or more of you as aforesaid such and soe many good and lawfull men of your County by whom the truth in the premisses may the better be knowne and enquired of, And further you shall cause to be brought before you at the said Dayes and places, the writts precepts processes, and Indictm^ts^ to your Court and Jurisdiction belonging, that the same may be inspected and by a due course Determined as aforesaid. Given at our City of S^t^ Maries under the greate Seale of our said Province of Maryland the Eight and twentieth Day of July in the Sixth yeare of our Dominion &c. Annoq Dmi One thousand Six hundred Eighty and One.

Charles Absolute Lord and Prop^ry^ of the Provinces of Maryland & Avalon Lord Baron of Baltemore &^c^ To our trusty and well beloved Captain Sam^ll^ Bourne and Roger Brooke gentl greeteing. Whereas we have by our Comissions under the greate Seale of this our said Province of Maryland beareing equall Date with this nominated constituted and appointed you the said Samuel Bourne and Roger Brooke, and the severall other persons in the said Commissions named to be commissioners and Justices of the peace and for the tryall of causes in our County of Calvert with full power and Authority to keepe our County Court at such dayes and times as by the law in that case made is provided. Now Know yee that we reposeing greate trust and confidence in your fidelityes & provident circumspections have Assigned you and by vertue of these presents doe give unto you full power and authority (you the said Roger Brooke haveing first taken the vsuall oath of Commissioner and Justice of the peace of our said County upon the holy Evangelist which oath wee doe hereby Empower and authorise you the

said Samuel Bourne duly to administer, and you the said Roger Brooke haveing recd: and taken the said Oath Wee doe hereby Authorise and empower you to administer the like oath of Commission[r] and Justice of the peace of our said County to him the said Samuel Bourne, which being done and performed) to call and cause to come before you the other persons in the said Comission nominated and appointed to be Commission[rs] and Justices of the peace and for the tryall of causes in our said County, and duely and truly to administer unto them and every of them jointly or severally the said oath of Commissioner and Justice of the peace of our said County they also takeing the same upon the holy Evangelists, And when you have soe done Wee doe will and command you that you doe under your hands & Seales certifie us of your whole proceedings herein without delay into our Court of Chancery wheresoever it shall then be together with this writt. Witness Our Self at our City of S[t] Maries the Eight and twentieth Day of July in the Sixth yeare of our Dominion &[c] Annoq Domini One thousand Six hundred Eighty and One. Lib. R.

At a Councill held at the City of S[t] Maries the Eighth Day of August Anno Domini 1681 : p. 218

The hon[ble] { The R[t] hon[ble] the Lord Prop[ry], Philip Calvert Esq[r] Chancelo[r], William Calvert Esq[r] Secry, Coll Henry Darnall } Present

Then Delivered into the hands of the Clk of the Councill to be entred the following Deposition of Samuel Dobson viz.

Aug[t] 4[th] 1681 :

Samuel Dobson aged Sixty three yeares or thereabouts sworne upon the holy Evangelists saith that about the beginning of the last moneth Capt[n] John Coode came to Bushwood to the house of Gerard Slye where this Deponent then and now hath his residence: that they then fell into discourse about the murder at Point Looke Out then lately committed upon Thomas Potter and others, that this Deponent then in discourse saying that the said Potter and his Companions (as this Deponent thought) were murdered by the Indians, the said Cood replyed noe they were not murdered by Indians, but were murdered by Christians, and that Coll Spencer had cleared the Indians then questioned; And further Sayth not

Juravit die et Anno Supradictis coram nobis

Samuel Dobson signed

Philip Calvert
Will Calvert

Lib. R. then were produced by his L^{spp} and communicated to this board the following Letters viz

May it please your L^{spp}:

Your L^{spps} Letter of the 29th of July lyes before me and in obedience thereto shall vse my utmost endeavour for the safety of the people of these parts God Almighty direct your L^{spp} in all your Councills. It is generally thought that George Godfrey at present my Leivetenant hath been tardy in the raiseing of men for the release of ffendall, Coll Chandler gives your L^{spp} accompt thereof. If your L^{spp} finds him guilty I question not but his punishment will be answerable to his Deserts, I have been a meanes to preferr him but doe hope your L^{spp} will not impute any thing to me, my meaning was good therein. I am resolved he shall never march longer with me unless he cleares himself. It is reported that if I would not be of their party they would disarme me, and that the said Godfrey was the person appointed to head the party, they doubted of their designe and soe Returned as I have formerly advised; I am very well assured that I should have found some that would have stood by me sufficient to have putt a Stopp to such proceedings

p. 219 Here is a Report come from Virginia that the fforreigne Indians hath a ffort above the Eastern branch neere the ffalls of Pottomock, and that four of M^{r} George Brents negros Runnaways was taken by them and gives relation thereof haveing made their Escape. If your L^{spp} thinks well of it I will visit those parts to give the people some satisfaction. The fforreigne Indians was at Zachaiah ffort tuesday last and Cutt up some of their Corne. It happened I was Rangeing at Pamunkey and back of the plantations and haveing noe notice thereof misst them they stayed not long. I will (god willing) spend some tyme at Zachaiah to waite their comeing next weeke, and if any thing worth your L^{spps} notice shall advise I shall be in hourely expectation in receiveing your L^{spps} commands in relation to my Lievetenant. I have nothing else to offer but my due obedience subscribe ever

Charles County Aug^{t} the 5th 1681: Your L^{spps} most ffaithfull and most Obedient Servant Rand^{o} Brandt

Thus Superscribed viz
To the R^{t} hon^{ble} Charles Lord Baltemore absolute L^{d} and Prop^{ry} of Maryland,
Humbly Present.

May it please

Your L^{spp} In obedience to your L^{spps} commands of the 29th of July have made what progress I cann possibly in the dis-

covery of the Intended Rebellion, and have Inclosed sent your Lib. R.
L^spp some Depositions tending to that effect, the Prisoners committed into custody of Majo^r Boareman are William Boyden and Nicholas Bede, but it is much Suspected that Lievetenant George Godfrey is the Ringleader of this sedition, I cannot bring Boyden to owne it but upon his Examination I conceive the truth will be knowne, he doth say he will rather suffer then accuse another, it was thought L^tt Morris was concerned therein but conceive he hath been much abused in that very particular haveing duely examined him and all others that did any way apeach him, and doe find him very diligent to search out the first Invento^r of this Designe, I have sent your L^spp at the foote of these the names of the persons that were intended to meete the Troop at the head of Portobacco Creeke. According to the best Information I have to Offer your L^spp upon further discovery shall give notice as oportunity doth present, with the representation of my due obedience Subscribe.

Your L^spps ffaithfull & obedient Ser^t
Wm Chandler

Persons Intended for the head of Portob^a C^r

Thomas Abbot, Godfryes Overseer
Thom: Elder, Archibald Waughobbs Overseer
Edw^d Hodson, Rich^d Hodgesons Overseer
Nicholas Bede housekeeper but poore
James Morgan Lemaires Overseer
Tho: Colebourne Corp^ll to Majo^r Wheeler

The letter thus Superscribed

To the R^tt hon^ble Charles Lord Baltemore absolute L^d and Prop^ry of Maryland Humbly Present

May it please p. 220

Your L^spp. In obedience to your L^spps Commands were Dispatch'd two severall Letters this Day by the hands of Edward Gale in relation to the Acto^rs of the late Rebellion, and therein sent the Depositions Inclosed tending to that Effect, since w^ch we have made further discovery and we find Lievetenant Godfrey chiefly concerned as by the Depositions sent. Nicholas Bede we find a poore man and not in a capacity to performe the Journey and his wife not well have dismissed him upon security Supposeing these two to be the Acto^rs of this tragedy, if any further discovery shall advise, and this is Signified in greate haste by

Your L^spps most Obedient Serv^tts
Wm Chandler
Rand^ll Brandt

Charles County Aug^t the 5^th 1681:

thus Superscribed

To the R^t hon^ble Charles Lord Baltemore absolute Lord and Prop^ry of Maryland Humbly Present

Lib. R. Then was called to the board George Godfrey under the custody of Major William Boareman high Sheriff of S[t] Maries County

Who being charged with haveing endeavoured to raise a mutiny amongst the people by his seditious Speeches and actions stedfastly Denies what was alledged against him whereupon were read to him these following Depositions viz

The Deposition of William Boyden aged Eight and ffourty yeares or thereabouts touching the meeteing and sedition in Charles County saieth

That he came to the house of George Godfrey on Thursday the fourteenth of July last that then and there he found George Godfrey and about tenn men more, that the said Godfrey discoursed about goeing downe with those men in armes to rescue Cap[t] Josias ffendall who they said was prisoner out upon bayle, that he the said Boyden disswaded the said Godfrey and the rest from goeing downe to rescue the said ffendall, telling them that possibly the report was false of ffendalls Imprisonm[t] and told them he would goe downe to M[rs] ffendall and see whither the Report were true or noe, Whereupon the said Godfrey bid him the said Boyden tell Cap[t] ffendall if he did see him that he the said Godfrey would come downe to him the said ffendall on Monday or Tuesday following with the troope to which he the said Godfrey was Lievetenant and as many men more. And Declareth further that Godfrey did conceive ffendall was out of prison upon baile, and that therefore he Offered to come downe to him the said ffendall with his troope to the intent ffendall should head them as he beleived, And he further saieth that at his returne to Godfrey he gave him to understand that ffendall was prisoner but not bayled, Whereupon Godfrey said he would goe to Church next Sonday, and gett what men he could there to joyne with those men he had already sent for to meete him in armes at Church that soe they might meete the troope at the head of
p. 221 Portobacco Creeke on Monday, and then they would take Cap[t] Randolph Brandt and tye him, and turne James Wheeler out of the troope, (they being the onely Roman Catholicks in the troope) that they might rescue ffendall, that he the s[d] Boyden came late to Church on Sonday purposely for feare of being engaged by Godfrey and that before he came Godfrey and his Complices had left off discourseing of their intended Rescue of ffendall, because he the said ffendall was not come home to his house, but was remooved into S[t] Maries County or elsewhere, though they were neere fourty men and most of them in Armes viz: James Smallwood, Daniel Mathena, John Cornish, Philip Hoskins, Thomas Abbott, Thomas Elder,

Nicholas Bede, Michael Minock, James Morgan, L^tt^ Morris Lib. R.
Joshua Gray Charles Callis house keepers both and others which he cannot now remember, but as he calleth them to mind shall be ready to informe his L^spp^: and Councill; And he further maketh oath that George Godfrey bid him give notice to the people neere his the said Boydens house to meete him the s^d^ Godfrey in Armes at Church and to speake to John Cornish the Chyrurgion to bring his plaisters and Medicines to church with him to be ready to march with him on Monday. And he further sayth that he hath heard it commonly discoursed amongst the people that within these twelve moneths Cap^t^ ffendall hath been solliciting the people to choose him Delegate in the Assembly and hath told them that were he Command^r^ of the County Troope he would Destroy all the Indians or words to that Effect

Juravit Die Octavo Augusti 1681 — William Boyden, Philip Calvert

William Theobalds aged 25 yeares or thereabouts sworne saith That of Sunday being the 17^th^ Day of July at the Plantation of M^rs^ Anne ffooke in Portobacco Creeke in Charles County your Deponent did heare George Godfrey say that it would be a very good way to goe downe and Demand Cap^t^ ffendall, and that they would give good security for his appeareance at the next Assembly and further saith not

William Theobalds

Sworne before me Ignatius Causine

Maryland Charles County

The Deposition of Richard Price aged twenty Eight yeares or thereabouts.

This Deponent sayth that being at the house of George Godfrey on thursday the 14^th^ of July last past he heard a murmering amongst the people (being then a reapeing) of the Imprisonm^t^ of Capt. ffendall, and that the said Godfrey bid them say noe more when the Troope mett he would draw out and see who would follow him

Sworne before me
Ignatius Causin

Maryland Charles County

The Deposition of Rob^t^ Middleton aged about thirty yeares &c

This Deponent sayth that he never heard George Godfrey speake any words tending to meeting to his knowledge but he was told by one Mary Martyne that the people would come to the head of Portobacco Creeke, and make the said Godfrey p. 222

Lib. R. their Leader if Capt[n] Brandt would not, and that they had appointed this Deponent their Lievetenant, and that if the said Brandt did not comply they would unhorse & disarme him, and further saith he was told that George Godfrey had sent to Ninion Beale to meete him at Pascattoway with what force he could raise and to the best of his knowledge, he was told this by John Wood, and further Saith not

Sworne before me
Ignatius Causin

Ordered that George Godfrey of Charles County be dismissed of his Office of Justice of the peace in the said County as also of Lieveten[t] to Capt[n] Randolph Brandt and that M[r] John Redich of the same County succeed him in his Office of Lievetenant, And also that the said Godfrey be committed into close custody under the charge of Thomas Wynne his keeper according to the following precept viz

Maryland ss:

You are hereby willed and Required as also strictly charged and commanded to Receive and take into your Custody the body of George Godfrey of Charles County when he shall be delivered unto you by Majo[r] William Boareman high Sheriffe of your County, and him safely keepe untill he shall be from thence discharged by order from his L[spp] & Councill or other due course of Law, ffor which this shall be your warrant. Dated the Eighth Day of August in the sixth yeare of the Dominion of the R[t] hon[ble] Charles &c Annoq Domini 1681:

To Thomas Wynne of S[t] Maries County gentl

Signed p ord[r]
p J Llewellin Cl Consil

These

William Boyden of Charles County in obedience to the order of this board Enters into Bond of One hundred pounds sterl pay[a] to the R[t] hon[ble] the Lord Prop[ry] his heyres and Successors, to make his appeareance at the next Provinciall Court to give Evidence in behalf of his L[spp] against George Godfrey.

Ordered also that summons issue from this board to James Smallwood of Charles County requireing his appeareance forthwith to testifie the truth of his knowledge to what shall be proposed unto him, w[ch] accordingly issued as foll

Maryland ss:

You are hereby willed and Required as also strictly charged and Commanded that immediately upon sight hereof (all excuses sett apart) you bee and personally appeare before his

L^spp and Councill at the City of S^t Maries to testifie the truth Lib. R.
of your knowledge in such matters and thinges as shall then
and there be proposed unto you, Whereof you are not to faile
as you will answer the contrary at your perill. Dated the
Eighth Day of August in the Sixth yeare of the Dominion of p. 223
the R^t hon^ble Charles &c. Annoq Domini 1681:

To James Smallwood — Signed p ord^r
of Charles County — p J Llewellin Cl Consil
These

By ord^r of this board also issued the following precept to Coll Chandler viz

Maryland ss:

Whereas you have formerly recd: his L^spps ord^r to you directed concerning Daniel Mathena of your County to have him examined at your next County Court and afterwards to be bound over for his further examination to the next Provinciall Court to be holden for this Province at the City of S^t Maries. His L^spp hath further thought fitt to Require you, and you are hereby willed and Required that soe soone as the said Daniel shall have passed his Examination at your County Court as aforesaid, you cause him and other the witnesses and Evidences therein concerned with the Examination aforesaid to be forthwith transmitted unto his L^spp and Councill at the City of S^t Maries without Delay. Whereof you are not to faile. Dated at the City of S^t Maries the Eighth Day of August in the sixth yeare of the Dominion of the R^t hon^ble Charles &c: Annoq Domini 1681:

To Coll William Chandler — Signed p ord^r
high sher. of Charles County — p J Llewellin Cl Consil
These

At a Councill held at S^t Maries City the 12^th Day of August Anno Dmi. 1681:

The R^t hon^ble the Lord Prop^ry
The hon^ble { Philip Calvert Esq^r Chancelo^r } Present
W^m Calvert Esq^r Secry

At w^ch time was produced and read the severall Examinations of Daniel Mathena and others taken before his L^spps Justices of Charles County the nineth Day of August and returned to this board according to ord^r

At a Court held in Charles County for the R^t hon^ble Charles Absolute Lord and Prop^ry of this Province of Maryland &^c

Lib. R. before his L^spps^ Justices of the said County on the nineth Day of August Anno Domini 1681:

M^r^ Henry Adames

M^r^ John Stone, M^r^ Robert Henley, Capt^t^ Ignatius Causin, Capt^t^ William Barton

Capt^t^ Humphry Warren, M^r^ Thomas Clipsham, M^r^ Henry Hawkins, Capt^t^ Henry Aspinall

} Com^rs^

Daniel Mathena examined in open Court before us saith that an Indian came to his house in May or June last past two yeares agoe and he had a parcell of Letters in a silk grass baskett, and Desired his wife to putt them up and my wife asked him from whence the Letters came, and the Indian
p. 224 answered that the Letters came from my Lord, and she asked him where he did carry them and he told her that he carried them to the Sinniquos, and my wife askt him what he carried them there for, the Sinniquos cannot read, and the Indian answered that the ffrench were hard by and that they could read them for the Sinniquos for they were their Interpreters to make a peace with us and the neighbour Indians. And further saith not.

Robert Robins aged ffifty five yeares or thereabouts sworne & examined in open Court saith that he demanded of Daniel Mathena whether an Indian did not bring some Letters to his house, and he answered that it was true, and that he and his wife would take their oathes of it, and I askt him what quantity of Letters there might be and he said that there was almost a small Indian baskett full, but whither the Letters were from my Lord or not this Deponent knoweth not but as the common fame was, and further saith not.

John Martin aged ffourty yeares or thereabouts sworne & examined in open Court saith that he heard Daniel Mathena Say upon the Seaventeenth day of July Anno 1681: at M^rs^ ffookes house at Portobacco it being then Sunday and there being the Church, that there was an Indian came to his house with a pcell of Letters, and this Deponent asked him from whence the Indian had those Letters, and Daniel Mathena answered that they came from my Lords, and further I asked him when he had those Letters, and he answered about this time twelve moneths further saith not

Whereupon in complyance to an ord^r^ from the R^t^ hon^ble^ the Lord Prop^ry^ beareing Date the Eighth Day of August Anno Dmi. 1681:

Daniel Mathena being examined in open Court together with the Evidences (viz:) Robert Robins and John Martin

It is ordered by the said Daniel Mathena with the Evidences Robert Robins and John Martyn be committed into the custody of Coll William Chandler Sheriff of this County, and by him be conveyed downe to the City of S^{t} Maries with what convenient speed may be there to answer to what shall be objected against them on the behalf of the R^{t} hon^{ble} the Lord Prop^{ry} Lib. R.

Vera Copia p Clebourne Lomax Sub Clk:

Thomas Elder aged thirty yeares and upwards saith that on Saturday the sixteenth Day of July A^{o} 1681 : Nicholas Bede came up from William Loves and came into the tobacco ground to me, and I asked him what news and he told me that Cap^{t} ffendall was taken, and said he is our Captain and a liver in the County, why should we not goe downe to release him, or to see what was the matter that he was taken, and he desired me to come to Church the next morning with my armes, and I asked him who gave orders to warne us in with our armes, and he said One neighbour gave order unto another, and further he said that there was two men more in the County to be taken, and I askt him who they were and he said M^{r} John Stone, and the Minister, and I answered him if they take the Minister lett them Catch that catch cann, and further saith not.

Whereupon It is ordered by the Court that Nicholas Bede and the Evidence Thomas Elder be committed into the custody of Coll William Chandler Sheriffe of this County and p. 225
that they be by him conveyed downe to the City of S^{t} Maries with what convenient speed may be there to answer to what shall be objected against them on the behalf of the R^{t} hon^{ble} the Lord Prop^{ry} Vera Copia

p Cleborne Lomax Sub Clk
Carol Comitat

then also read to this board a Letter from Cap^{t} Brandt viz

May it please
Your L^{dspp}. I Cannot omitt any thing that may tend to the peace and wellfare of your L^{spps} Province and good people therein.

It is given out that M^{r} Edelen some tyme since being at the Mill was heard to say that now your L^{spp} had gott ffendall and Coode we should doe well enough with the rest, and that by the thursday following he questioned not but they would be executed, and such words he uttered in the presence of M^{r} Thomas Mudd and M^{r} Marshall as I am enformed, if soe

Lib. R. he was idle and hath given the people occasion to say your L^spp doth favour the Romans, and if any thing said by the Protestants notice is immediately taken of them, I have assured them that I would give your L^spp acco^t thereof which gives satisfaction for the present

ffurther am to lett your L^spp understand that they think it strange of the Proclamacōn relateing to the sitting of the Assembly notwithstanding your L^spp hath been pleased to Signifie the reasons therein, to save their purses, they plainly say there cann be noe Assembly without a new Election to make a full house, and that this Assembly cannot contradict what Lawes the former hath enacted, and this is frequently discoursed amongst the people, which I thought it my Duty to acquaint your L^spp with On Sunday last I recd: some Intelligence from Zachaiah ffort of the fforreigne Indians being there, the day following I went up with ffifty horse, and comeing in sight of the ffort found all quiett, and calling for the greate men the Sinniquos appeared in the Corne very neare the ffort Our Indians Immediately fired at them severall Vollies at their running off, but not a man killed nor wounded as cann discover, the Enemy returned some shott again, I Doubt they were upon a treaty My Self and six more advanced to the ffort, and demanded of our Indians what force they were, they did assure us six hundred at the least, and did advise me to come into the ffort, which I did both for their Security and ours, I ordered One of our Indians that speakes good Sinniquo to tell them that I was Commanded by your L^spp to treate with them being then in sight, and in call, but they returned a scornfull answer as the Indian told my Interpreter, upon which I demanded some of our Indians to goe out after them but they all refused and would not send a man; not a gunn fired by me nor any under my command in this Skirmish, nor they at us, but they saw us and wee them, that night wee lay at the ffort, in the morning we beate about the same in Company with twenty odd of our Indians upon discovery where I found a greate tract leading towards the old Pascattoway ffort, they have done greate mischiefe in their corne fields which I have viewed; The Neighbouring Indians much rejoyced at our comeing and doe say had wee not come they had been cutt off thatt night, I am glad it was my chance to be at that juncture of tyme, I am sure it prevented either an Agreement or destruction of our Neighbouring Indians. Doubting of the Inhabitants of the ffrontire Plantations I repaired to them and am now ready to Defend to my utmost.

p. 226 I have recd your L^spp Letter of the Eighth Instant and your L^spps choice as to my L^tt is much approoved of

Our Neighbouring Indians meaneing the Zachaiahs are in much want of armes and ammunition as they alledge, and doe say if not speedily supplyed they shall loose the ffort or Quitt the same, they also desire a greate gunn to Alarm the Inhabitants upon discovery of the Enemy I have nothing else to add but the tender of my due Obedience Subscribe Ever Lib. R.

Your L^{spps} most Obedient & faithfull Serv^{t}

I hope your L^{spp} will excuse my bad writeing being in haste and for want of a place to write on

Rand^{o} Brandt

Charles County from the ffrontire plantations in the woods Aug^{t} the 10th 1681:

Thus Superscribed

To the R^{t} hon^{ble} Charles Lord Baltemore absolute Lord and Prop^{ry} of Maryland humbly Present haste post haste for his L^{spps} imediate Service

Certified p Rand^{o} Brandt.

James Smallwood pursuant to an ord^{r} of this board the last day makes his appeareance, who being duely sworne upon the holy Evangelists saith That George Godfrey being at his house said two or three times come lett's goe fetch him, they haveing without doubt (as he the Deponent verily beleives) been just talking and discoursing of Cap^{t} ffendall.

Robert Robins & John Martyn } Called and their Depositions taken at Charles County Court read distinctly to them the which they both owne and acknowledge

Daniel Mathena called and Examined to what he is charged with and hath Deposed before his L^{spps} Justice at Charles County Court, and being asked what Indian it was brought the Letters to his house saith he knoweth not his name but as he is informed the Indian is dead, and further saith that if he hath said any thing undecent or injurious it hath been for want of witt

Ordered that Robert Robins and John Martyn Enter into Recognizance to his L^{spp} the Lord Prop^{ry} in the summe of twenty pounds sterl each of them penalty to make their appearance at the next Provinciall Court to testifye in behalfe of his L^{spp} the truth of their knowledge against Daniel Mathena. Who is committed into the custody of the Sheriff of S^{t} Maries County by this foll precept

Maryland ss:

You are hereby willed and Required as also strictly charged and Commanded to take into your Custody Daniel Mathena

Lib. R. of Charles County and him safely keepe soe that you have his body before his L^spp^ Justices of the Provinciall Court at the next Provinciall Court to be holden for his L^spp^ at the City of S^t^ Maries to answer unto such thinges as shall then and there
p. 227 be alledged ag^t^ him in behalf of his said L^spp^. Whereof faile not and for soe doeing this shall be your warrant Dated the twelfth Day of August in the sixth yeare of the Dominion of the R^t^ hon^ble^ Charles &c. Annoq Dmi. 1681:

Signed p ord^r^
p J Llewellin Cl Consil

The prisoner to be kept in safe close custody
J Llewellin

Nicholas Bede of Charles County being duely sworne upon the holy Evangelists saith that on Sunday the Sea'night before the men mett in armes at Church Daniel Mathena told him there came an Indian to his house with two packetts of Letters one as bigg as both his ffists and the other somewhat smaller both in a silk grass baskett which the Indian left three daies at his house & went into Virginia, that when he returned he the said Daniel asked him whither he was goeing with those Letters, and the Indian answered he was goeing to Cannida with them to the Sinniquo Indians and the ffrench, which he the said Daniel said himself and his wife would sware, and further the Depon^t^ thereunto Sayth not.

Ordered that the Deponent Enter into Recognizance to the Lord Prop^ry^ in the summe of twenty pounds sterl to make his appeareance at the next Provinciall Court to Give Evidence on behalf of his L^spp^ against Daniel Mathena which he did and his Recognizance taken by the Clk:

Ordered also that Ignatius Causin and John Stone of Charles County gentl summon before them Richard Edelen Thomas Mudd and M^r^ Marshall and examine them upon oath concerning the words spoken by Richard Edelen at the Mill according to Capt^n^ Brandts Letter, and accordingly issued this following precept viz

Maryland ss:

By the Lord Prop^ry^ and Councill

Whereas Information hath been given to his L^spp^ and Councill that Richard Edelen of S^t^ Maries County lately in the presence of M^r^ Thomas Mudd and M^r^ Thomas Marshall hath uttered severall idle false Reports tending to the disturbance of his L^spps^ peace

Ordered therefore that John Stone and Ignatius Causin of Charles County gentl two of his L^spps^ Justices of the peace for the said County be and they are hereby authorised and

empowered immediately upon sight hereof to call before them Lib. R.
as well the said Richard Edelen as also the said Thomas Mudd and Thomas Marshall and them upon oath to examine of in and concerning the premisses, hereby also strictly chargeing & comanding as well the said Richard Edelen as also the said Thomas Mudd and Marshall upon notice to them given to goe and appeare before the said John Stone and Ignatius Causin at such time and place as they the said John Stone and Ignatius Causin shall appoint before them to testifie upon oath the truth of their knowledge concerning the premisses, an Exact Acco^{t} whereof to be transmitted to his L^{spp} and Councill at the City of S^{t} Maries under the hands of the said John Stone and Ignatius Causin with all convenient speed Dated the twelfth Day of August in the sixth yeare of the Dominion of the R^{t} hon^{ble} Charles &^{c} Annoq Dmi. 1681:

To John Stone and Ignatius Causin of Charles County gentl
These

Signed p ord^{r}
p J Llewellin Cl Consil

Ordered that Coll Chandler high Sheriff of Charles County p. 228
take bond of Richard Price of the same County in the summe of twenty pounds sterl to appeare at the next Prov^{ll} Court to testifye on behalf of his L^{spp} against George Godfrey and that notice be given to the said Coll Chandler of this ord^{r} p Clk of the Councill w^{ch} was done as foll viz

Coll. Chandler

S^{r} I am commanded by his L^{spp} and Councill to signify to you that it is his L^{spps} pleasure you take bond of Richard Price of your County in the summe of twenty pounds sterl pay^{a} to his L^{spp} to give Evidence at the next Provinciall Court against George Godfrey of the same County and remitt the same downe to me at S^{t} Maries with all speed. This from

S^{r} Your humble Serv^{tt}
J Llewellin

St. Maries Aug^{t} 12th 1681:

Pursuant to an ord^{r} of this board the Eight and twentieth Day of July last past Coll Vincent Lowe and Coll Philemon Lloyd make returne of their Examinations by them taken concerning the Eastern shore Indians as foll viz.

August 8th 1681:

My Lord

In pursuance of your L^{spps} Commission directed to Coll Philemon Lloyd and my Self Wee have taken the Examination of the English witnesses and also of the Indians which we have here inclosed sent downe to your L^{spp}: I need not enlarge

Lib. R. any further in this my Letter because the Depositions of the English and the Examinations of the English which I have now transmitted to you will make every thing apparent to your L^spp^ as it is; but One thing more I must acquaint your L^spp^ withall why Major Courseys Affidavit is not taken w^ch^ your L^spp^: may esteeme most materiall of all, he informing that Tequassino should say at Coll Lloyds that he had some twenty Indians gone out and that he wish'd there might be noe mischiefe done for he knew not upon what designe they went, but it seemes he had that news from Capt Hemsley, and Capt Hemsley from some of Coll Lloyds family, but Coll Lloyd affirms that Tequassino spoke noe such word soe that his Examination signifies nothing. My Lord I have made as strict a Scrutiny into this concerne as possibly I could, and if I have performed my Duty in it I shall esteeme my self happy and ever be ambitious of your L^dspps^ Employes who am

Your L^spps^ most ready and most faithfull Servtt

thus Superscribed viz These Vincent Lowe

To the Rt hon^ble^ the Lord Propry

haste haste post haste for the Countreys Service.

p. 229 August the first 1681:

Talbott ss:

The Deposition of Peter Dodd and John Robson taken at the house of Coll Philemon Lloyd

Peter Dodd aged about 40 yeares and John Robson aged about thirty yeares sworne and examined say that about the tenth Day of June they did see about tenn or twelve (as they judge) to be Indians in a Canooe passing towards Choptank Island, these Deponents being in a Canooe likewise, and these Deponents did hayle the Indians Canooe, intending to know what they were, and they answered not but did thereupon turne their Canooe a contrary way towards, Cookes Poynt and soe the Depts could not speake with them, but they these Deponts did see them afterwards tend their course towards Choptank Island, And further your Deponents say not

Sworne before us the Day and yeare above written

Vincent Lowe

Phi Lloyd

Peter Hadaway aged 29 years or thereabouts sworne and examined on August the 6th 1681:

Sayth

That about the 12th of June last 16 Indians came downe Choptank River, and came to the Deponents house, and he enquired of them whence they came and where they were

bound, they told him they came from Tequassinoes towne Lib. R.
and were bound over the bay to John Watkins, your Deponent asked them when they intended to returne, they answered when the geese came, but about Sixteene Dayes after eight of them returned, Robin Hood Tequassinos Sonn being One of them, Yo[r] Deponent asked the reason of their soe sudden returne, Robin Hood made answer that they heard that the Sinniquos were come downe and had killed some Indians on the Western shore, your Deponent asked if any English were killed, they replyed there were six killed at Pottuxen they thought by the Sinniquos and further saith not

sign
Peter . P Hadaway

Sworne before us the Day and yeare above written

Vincent Lowe
Phi Lloyd

King Tequassino, Hatsawaps Speaker and Mattapony Speaker Examined at M[r] Thomas Vaughans house August the Sixth 1681, by Coll Vincent Lowe and Coll Philemon Lloyd empowered thereunto by his L[spps] Speciall Commission

Then our Commissions were read openly before the p. 230
Indians and Interpreted to them by John Squire a liver in Talbott County.

Quest. first we asked the Indians what was the reason King Hatsawapp did not come along with them

Ans: That they had acquainted him with it but he being something in drink refused to come and made answer that he staied away for his pleasure.

Qu: 2[d] Wee asked how many Indians went with Robin hood over the Bay to the Western shore, about what tyme they went, & about what time they continued there, and at what houses they were at.

Ans: That Robin Hood and thirteene Indians more went over the Bay to the Western shore about the tenth or twelfth of June last past, and continued there about the space of tenn dayes, and then returned again to their towne, and dureing their stay there they were at M[r] Samuel Chews and John Watkins, except some few daies they were hunting in Maggaty Bay, and this Tequassino affirmes being informed soe by his sonn Robin hood

Que: 3[d] We asked the Indians the reason why Robin hood returned soe suddenly from the Western shore and why but half of the Indians he tooke over with him did but returne again

Ans: That those Indians that staied behind were Mattapony Indians, and that they were gone to their owne towne,

Lib. R. and the cause that Robin Hood and the rest of the Indians came over soe quickly was that they heard that the Sinniquos were come downe and had cutt of some Pascattoway Indians and also had cutt off six English people about Pottuxen River or thereabouts and that John Watkins a liver on the Western shore bid them be gone to their owne towne upon which they march'd away.

Qu: 4: Wee asked them whither they knew of any other Canooes of Indians that went over the Bay about the same time (viz) the 10th or 12th of June.

Ans: That they knew not of any.

Qu: 5: We asked them if they would make it their business to enquire amongst their owne & neighbouring Indians to find it out if any of them had committed or perpetrated the late Murther of the English at Point Looke Out

Ans: That they would be very diligent to find it out and if they came to any knowledge of the Murderrs they would presently discover it to his Lspp or some of his Councill.

And further Tequassino Informes us that not long since there came downe tenn Sinniquos as spies and have taken a view of all their townes, and that they intend to informe themselves of all Creekes on the Eastern Shore and then to fall upon them, and that our Indians have discovered severall places where they have lately been and layne all night

These Examinations taken before us the Day and yeare above written

Vincent Lowe
Phi. Lloyd

p. 231 Please your Lspp:

What is done in obedience to your Lspps Commission will be advised from the hand of Coll Lowe, this comes onely to cover a discourse I had with an Indian at my house, please to excuse the length of it, for Coll Lowe haveing told me that your Lspps suspition of Robin Hood and that party of Indians was Growne very greate from such Information as you had already had, made me very curious to trace this Indian in all his travells with as many Questions as I could think pertinent to give the best satisfaction, and putt your Lspp in the best Rule of findeing out the certainty, and then found noe other way would render it soe Intelligible as forming it into this Dialogue: after peruseall whereof I know I need not mind your Lspp: that a Commission to make Enquiry of those severall persons nominated on that side the Bay will give all satisfaction needfull. My Lord this Indian finds the more Credit with me and I suppose will with your Lspp when you have read this Examina of William Grose who came this day

and told me that he saw Robin Hood and those Indians makeing Canooes &c as in the Examination. I am Lib. R.

Yo^{r} L^{spps} most humble Serv^{tt}
Wye River this 7th Phil: Lloyd:
August 1681:

thus Superscribed viz
To the R^{t} hon^{ble} the Lord Propriet:
Humbly Present
P^{r} the Sheriffe These.

Inclosed in the above Letter was as foll viz.

A Casuall Question by an Indian (the day after Coll Lowe had been at my house with his L^{spps} Commission) with my further Examination of him upon it the 3^{d} of August 1681:

Indian. Why doe the Englishmen think that Robin Hood killed the people below at S^{t} Maries?

Because he was seene to goe over the Bay about that time with neere twenty Indians with him, and all other Indians liveing on that side have denied the murder.

Ind: I am sure Robin Hood did not doe it then, for I was one of the Indians went over with him.

How long is it since you went over the Bay with him?

Ind: Tis almost two moones.

How many Indians were you in Company?

Ind: We were 4 Choptank Indians, 5 Mattaponyes that live with us, two Pascattoway men and 4 Pascattoway weomen with Children

Did you meete with Ever a greate Canooe as you went downe Choptank River?

Ind: We saw a greate Canooe when we gott downe p. 232 almost as lowe as the Island where Coll Lowe lives a greate way from us.

Did the men in the Canooe call to you? Ind. Noe

Did you paddle away from them? Ind: Noe we went straite to Choptank Creeke.

Did you putt on shore there? Ind: Yes we went up to Peter Haddawayes.

Where did you goe from thence? Ind: over the Bay to John Watkins

What did you doe on t'other side the Bay?

Ind. Robin hood and two Indians more went to make a Canooe at W^{m} Richardsons but I with five Indians went a hunting to the head of Seavern and Maggaty River

How long did you stay out a hunting? Ind: five dayes.

Were you at any Englishmens houses?

Ind: Yes wee were at Murreens, Henry Ridgelys, Richard

Lib. R. Warfield and at one Guy Meekes's house, who sett in over Seavern River.

You say you staied but five daies, where was Robin Hood when y^{u} came back?

Ind: Where we left him, had made two Canooes and sold them to one D^{r} Longmar and another English man liveing neere John Watkins.

Well where did you goe then?

Ind. Then we went up to the head of Road River, hall'd up our Canooe at an English house (his name he did not remember) left with him our matchcoates, axes, & Skinns and soe went on hunting where I had been before.

Did you goe again to the English mens houses?

Ind. Yes we were at Richard Snowdens, Henry Ridgelys, Richard Warfields and borrowed Guy Meekes boate to goe over Seavern River.

How long Did you Stay this time?

Ind: About 5 or 6 Dayes, wee were to have made Canooes for those English men, but when we come back, they told us we must begone, for they heard some Englishmen were killed at Pottuxen.

Well what did you doe then?

Ind: We came back to John Watkins and he told us we must not stay at his house, soe we came presently over the Bay.

How many of you came back againe?

Ind: Eight of us 4 Choptank Indians and 4 Mattapanays

What became of the rest? Ind. they went to Pascattoway Towne.

Where did you putt a shore first on this side the Bay?

Ind. In Choptank Creeke by Coll Lowes.

How many dayes were you abroad in all?

Ind. About ffifteene or Sixteene dayes

Which way did the Pascattoway Indians goe home?

Ind. they went through the woods

are you sure they did not goe by water?

Ind. they had noe Canooe to goe by water

Doe you know or heare of any other party of Indians either Choptank or Nantecokes that went over the Bay any time this Summer?

Ind: Noe none that I know or heard of

Did you never heare the Indians discourseing who it might be that killed the English men?

p. 233 Ind. Yes they think it is the Sinniquos and Susquehannocks

The Sinniquos doe not vse to come downe that way where those men were killed it cannot be them

Ind: The Indians Say they goe many times downe from Potapscoe in Canooes. Lib. R.

Please to note that there may be some mistake in the English mens names, yett I sent for one that lived formerly in Seaverne and another in Road River to take the best certainty I could from the Indian Description of them: Murreene lives at head South River, Henry Ridgely upon the Ridge, the rest neere the head of Seaverne.

The Examination of William Grose the 7th Augt 1681 The Examinant Sayth that goeing over the bay upon the 13th of June last he saw Robin Hood and other Indians goeing to John Watkins, and about 3 or 4 dayes after he the Examinant went to William Richardson where he found Robin Hood contending with him about the goodness of a Matchcoate offered to him for a Canooe he had made there; and that he this Examinant goeing over the Bay a second time about the 20th of July went to John Watkins's and there fell into discourse, that severall on the Eastern Shore suspected Robin Hood and his Indians to have committed the murder below, to whom John Watkins replyed that could not well be, for they had been makeing Canoos amongst the neighbors and went a hunting to the head of Seavern untill the English men heareing the news of men killed below, bid them be gone home, soe that they came to his house, and he not entertaineing them they said they would goe to Herring Creeke and would come back againe, but he never saw them after.

Examin before me — William Gross.
Phi: Lloyd

At a Councill held at St Maries the 17th Day of August Anno Dmi. 1681:

The Rt honble the Lord Propry
The honble { Philip Calvert Esqr Chancelor
Wm Calvert Esqr Secry
Vincent Lowe Esqr Sur. Genll
Coll Thomas Tailler
Coll Henry Coursey

at wch tyme came Major William Boareman and informed this board that on tuesday the nineth of August instant he was at Charles County Court where he mett with Coll Chandler who Desired him the Informant to come up to his house on ffriday following telling him that the King of Mattawoman had something to say which he would not communicate to

Lib. R. any but him the said Informant, He thereupon accordingly went to Coll Chandlers house where he mett with the King of Mattawoman and one of his Indians called Jackanapes who had lately been taken prisoner by the Sinniquos and escaped from them; The said Jackanapes did relate in the presence of the said Boareman, Coll Chandler and John Lambert the
p. 234 Interpreter that the Zachaiah Indians had sent a present with an axe to the Sinniquos which was first sent to the Eastern Shore Indians (as the Informant Remembers and beleives the Emperour of Nantecoke) who was to convey the same to the Mattwass and they to the Sinniquos for to destroy the English and those in friendshipp with them but the Mattwass would not accept thereof nor joine with them, The Informant asked him the said Jackanapes how he came to know this, to which he replied that dureing the time he was a prisoner among the Sinniquos there came an Annacostin Indian to him and told him he need not feare his life, but the Mattawoman prisoners notwithstanding seemeing very disconsolate as being alwaies in feare, the Annacostin tooke him the said Jackanapes by the hand and carried him to a place in the woods where the greate men of the Sinniquos were, who asked him why he was afraid of being killed when they had soe often declared they would give them their lives to w^{ch} he the said Jackanapes answered them that the Pascattoway prisoners that had escaped from them did Report that the Sinniquos were resolved to burn man woman and child which they tooke of the Mattawomans, Whereupon the Sinniquos (One of the greate men of them standing up and seemeing to express himself with admiration) said they should see to the contrary of that calling to some of the Indians that stood by to bring a couple of basketts with belts of Peake and a broad axe and as the Informant best remembers and verily beleives a narrow axe w^{ch} went from the Eastern shore) w^{ch} they said was sent to them from the Pascattoways to destroy the English and their friend Indians The said Jackanapes also told this Informant that two nations (viz:) Nootassens and Anoondangas accepted of the present, and sent the axe with a present to the Aquiacoes who tooke the axe and kept it some small time and afterwards returne it back again saying the English would doe them noe hurt, and therefore they would not accept of it.

Ordered that the King of Mattawoman and the said Jackanapes together with the King of Choptico and Wingatt one of his greate men appeare before his L^{spp} and Councill on thursday the 25th instant and accordingly issued the following precept to the Sheriff of S^{t} Maries County viz.

By the Lord Propry and Councill Lib. R.
Maryland ss:

You are hereby willed and required to give notice to the King of Mattawoman and Jackanapes an Indian under him as also to the King of Choptico and Wingatt one of his greate men that his Lspp is desirous to speake with them concerning some matters of moment in relation both to them and us, and therefore hath appointed them a meeteing at the City of St Maries on Thursday the 25th of this instant August whither they are desired to come Whereof faile not and for soe doeing this shall be your warrant. Dated the 17th Day of August in the sixth yeare of the Dominion of the Rt honble Charles &c Annoq Dmi 1681:

To Major Wm Boareman Signed p ordr
high Sher. of St Maries County p J Llewellin Cl Consil.
These.

Capt John Stanesby Sheriffe of Baltemore County upon p. 235
the back of a warrt to him directed the second Day of May last past for the summoning of Henry Johnson and John Mold of his County to appeare before his Lspp and Councill the one and twentyeth Day of the same mo made this Returne, viz

This warrant came to my hands the thirtieth Day of May by meanes whereof (the time being expired) I could not summons the psons within mentioned to appeare at a certaine time. John Stanesby Sher.

Warrant thereupon issued afresh to summon the said psons to appeare before his Lspps Justices of the Provll Court at the next Provll Court to be holden at St Maries the fourth Day of October next.

Memdu. these following Depositions ded to the Clk of the Councill by his Lspp to be Entred in the Councill booke viz

Maryland ss:

The Deposition of Mr Edmund McDermott for and in behalf of the Rt honble the Lord Propry taken upon oath this 15th of June 1681: before me George Talbott Esqr one of his Lspps honble Privy Councill

The sd Edmund McDermott being duely sworne upon the holy Evangelist saith that on Saturday the Eleaventh of this Instant June being at the house of Mordecay Hunton in Calvert County and the sd Mordecai haveing newly parted with Thomas Trueman Esqr Demanded of the Deponent why he

Lib. R. had not told the s[d] Trueman some news he the s[d] Edmund being lately come from Pottomack, and he the s[d] Edmund Answering that he had but old news brought in by Capt[n] Sheppard, and some news already common concerning the Sinniquos and one Dickison of Charles County w[ch] the Deponent related to the s[d] Hunton whereupon the s[d] Hunton told him that he had news for him (viz[t]) that a Boy in Charles County rangeing for his Masters horse mett a single Indian, w[ch] Indian asked the Boy whither he mett more Indians, and the boy answering negatively the Indian seemed to wonder; ffor (said the Indian) those English called the Romans and the Sinniquos are to joine together and kill all the Protestants To which the Deponent answering that the Story was very idle, Then (quoth the said Hunton) tis not soe Idle but I beleive you know of it, which the Deponent Denying Hunton added that he beleived it to be true, for he was certain as 'twas also credibly reported and certainly known that three Priests were gone out of the Province and about this business but to what place he knew not, and that he had the report from a very credible person (viz) Majo[r] Trueman, and that Majo[r] Trueman had it from very credible men of Charles County, and from a Boy that was knowne to be noe lyar, and for that reason (said he) wee must stand upon our owne Defence, in testimony whereof the said Edmond M[c]Dermott has hereunto sett his hand the Day abovesaid

Taken before me — Edm[o] Dermott
Geor. Talbot

p. 236 M[r] Nicholas Bodkin being the said Day sworne before me on the holy Evangelists saith that he was present when the s[d] Mordecai said that he heard that the boy reported that the Indian said that the English called Romans and the Sinniquos were to joine and kill the Protestants, and when Hunton said the words [we must stand to our Defence] or words to that purpose. In Testimony whereof he hath hereunto putt his hand

taken before me — Nicholas Bodkin
Geor. Talbot

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